

115TH CONGRESS  
2D SESSION

# H. R. 4431

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2018

Received; read twice and referred to the Committee on Homeland Security and  
Governmental Affairs

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## AN ACT

To amend title 5, United States Code, to provide for interest payments by agencies in the case of administrative error in processing certain annuity deposits for prior military service or certain volunteer service, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Correcting Miscalcula-  
3 tions in Veterans’ Pensions Act”.

4 **SEC. 2. ERROR IN PROCESSING OF ANNUITY DEPOSIT FOR**  
5 **FORMER MEMBERS OF THE UNIFORMED**  
6 **SERVICES.**

7 (a) CSRS.—Section 8334(j) of title 5, United States  
8 Code, is amended by adding at the end the following:

9 “(6)(A) In calculating and processing the deposit  
10 under paragraph (1) with respect to an employee, Mem-  
11 ber, or annuitant, if the employing agency of such em-  
12 ployee, Member, or annuitant makes an administrative  
13 error, such employing agency may pay, on behalf of the  
14 employee, Member, or annuitant, any additional interest  
15 assessed due to the administrative error.

16 “(B) For purposes of subparagraph (A), the Sec-  
17 retary of the Senate or the Chief Administrative Officer  
18 of the House of Representatives, as appropriate, shall be  
19 considered the employing agency of a Member or Congres-  
20 sional employee.

21 “(C) The Director of the Office of Personnel Manage-  
22 ment shall issue such regulations as are necessary to carry  
23 out this paragraph.”.

24 (b) FERS.—Section 8422(e) of title 5, United States  
25 Code, is amended by adding at the end the following:

1       “(7)(A) In calculating and processing the deposit  
2 under paragraph (1) with respect to an employee, Mem-  
3 ber, or annuitant, if the employing agency of such em-  
4 ployee, Member, or annuitant makes an administrative  
5 error, such employing agency may pay, on behalf of the  
6 employee, Member, or annuitant, any additional interest  
7 assessed due to the administrative error.

8       “(B) For purposes of subparagraph (A), the Sec-  
9 retary of the Senate or the Chief Administrative Officer  
10 of the House of Representatives, as appropriate, shall be  
11 considered the employing agency of a Member or Congres-  
12 sional employee.

13       “(C) The Director of the Office of Personnel Manage-  
14 ment shall issue such regulations as are necessary to carry  
15 out this paragraph.”.

16 **SEC. 3. ERROR IN PROCESSING OF ANNUITY DEPOSIT FOR**  
17 **CERTAIN VOLUNTEERS.**

18       (a) CSRS.—Section 8334(l) of title 5, United States  
19 Code, is amended by adding at the end of the following:

20       “(5)(A) In calculating and processing the deposit  
21 under paragraph (1) with respect to an employee, Mem-  
22 ber, or annuitant, if an employing agency of such em-  
23 ployee, Member, or annuitant makes an administrative  
24 error that causes additional interest assessed to accrue on  
25 the deposit, the employing agency may pay, on behalf of

1 the employee, Member, or annuitant, any additional inter-  
2 est assessed due to the administrative error.

3 “(B) In calculating and processing the deposit under  
4 paragraph (1) with respect to an employee, Member, or  
5 annuitant, if the Office of Personnel Management makes  
6 an administrative error that causes additional interest as-  
7 sessed to accrue on the deposit, the Office of Personnel  
8 Management may pay, on behalf of the employee, Member,  
9 or annuitant, any additional interest assessed due to the  
10 administrative error.

11 “(C) For purposes of subparagraph (A), the Sec-  
12 retary of the Senate or the Chief Administrative Officer  
13 of the House of Representatives, as appropriate, shall be  
14 considered the employing agency of a Member or congres-  
15 sional employee.

16 “(D) The Director of the Office of Personnel Man-  
17 agement shall issue such regulations as are necessary to  
18 carry out this paragraph.”.

19 (b) FERS.—Section 8422(f) of title 5, United States  
20 Code, is amended by adding at the end of the following:

21 “(5)(A) In calculating and processing the deposit  
22 under paragraph (1) with respect to an employee, Mem-  
23 ber, or annuitant, if an employing agency of such em-  
24 ployee, Member, or annuitant makes an administrative  
25 error that causes additional interest assessed to accrue on

1 the deposit, the employee, Member, or annuitant's employ-  
2 ing agency may pay, on behalf of the employee, Member,  
3 or annuitant, any additional interest assessed due to the  
4 administrative error.

5       “(B) In calculating and processing the deposit under  
6 paragraph (1) with respect to an employee, Member, or  
7 annuitant, if the Office of Personnel Management makes  
8 an administrative error that causes additional interest as-  
9 sessed to accrue on the deposit, the Office of Personnel  
10 Management may pay, on behalf of the employee, Member,  
11 or annuitant, any additional interest assessed due to the  
12 administrative error.

13       “(C) For purposes of subparagraph (A), the Sec-  
14 retary of the Senate or the Chief Administrative Officer  
15 of the House of Representatives, as appropriate, shall be  
16 considered the employing agency of a Member or congress-  
17 sional employee.

18       “(D) The Director of the Office of Personnel Man-  
19 agement shall issue such regulations as are necessary to  
20 carry out this paragraph.”.

21       (c) AUTHORIZATION OF PAYMENTS.—All payments  
22 from the Office of Personnel Management authorized by  
23 subsections (a) and (b) shall be paid from the Civil Service  
24 Retirement and Disability Fund, and together with admin-  
25 istrative expenses incurred by the Office in administering

1 these subsections, shall be deemed to have been authorized  
2 to be paid from that Fund, which is appropriated for the  
3 payment thereof.

Passed the House of Representatives September 26,  
2018.

Attest:

KAREN L. HAAS,

*Clerk.*