

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2800

To promote and support management reorganization of the National  
Aeronautics and Space Administration.

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IN THE HOUSE OF REPRESENTATIVES

JULY 29, 1993

Mr. BROWN of California introduced the following bill; which was referred to  
the Committee on Science, Space, and Technology

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## A BILL

To promote and support management reorganization of the  
National Aeronautics and Space Administration.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Aeronautics  
5 and Space Administration Management Reorganization  
6 Act of 1993”.

7 **SEC. 2. SEPARATION PAY.**

8 (a) For the purpose of this section—

1           (1) the term “Administrator” means the Ad-  
2           ministrator of the National Aeronautics and Space  
3           Administration; and

4           (2) the term “employee” means an employee of  
5           the National Aeronautics and Space Administration  
6           serving under an appointment without time limita-  
7           tion, who has been currently employed for a continu-  
8           ous period of at least 12 months, except that such  
9           term does not include—

10                   (A) a reemployed annuitant under sub-  
11                   chapter III of chapter 83 or chapter 84 of title  
12                   5, United States Code, or another retirement  
13                   system for employees of the Government; or

14                   (B) an employee having a disability on the  
15                   basis of which such employee is or would be eli-  
16                   gible for disability retirement under any of the  
17                   retirement systems referred to in subparagraph  
18                   (A).

19           (b) In order to avoid or minimize the need for invol-  
20           untary separations due to a reduction in force, installation  
21           closure, reorganization, transfer of function, or other simi-  
22           lar action affecting the National Aeronautics and Space  
23           Administration, the Administrator shall establish a pro-  
24           gram under which separation pay may be offered to en-

1 courage eligible employees to separate from service volun-  
2 tarily (whether by retirement or resignation).

3 (c) Under the program, separation pay may be of-  
4 fered only—

5 (1) with the prior written consent of the Ad-  
6 ministrator; and

7 (2) to employees within such occupational  
8 groups or geographic locations, or subject to such  
9 other similar limitations or conditions, as the Ad-  
10 ministrator may require.

11 (d) Such separation pay—

12 (1) shall be paid in a lump sum; and

13 (2) shall be equal to the lesser of—

14 (A) an amount equal to the amount the  
15 employee would be entitled to receive under sec-  
16 tion 5595(c) of title 5, United States Code, if  
17 the employee were entitled to payment under  
18 such section; or

19 (B) \$25,000;

20 (3) shall not be a basis for payment, and shall  
21 not be included in the computation, of any other  
22 type of Government benefit; and

23 (4) shall not be taken into account for purposes  
24 of determining the amount of any severance pay to  
25 which an individual may be entitled under section

1 5595 of title 5, United States Code, based on any  
2 other separation.

3 (e)(1) No amount shall be payable under this section  
4 based on any separation occurring after September 30,  
5 1997.

6 (2) No amount shall be payable under this section  
7 for any member in the Senior Executive Service based on  
8 any separation occurring after September 30, 1993.

9 (f) An employee who receives separation pay under  
10 such program may not be reemployed by the National Aer-  
11 onautics and Space Administration for the 12-month pe-  
12 riod beginning on the effective date of the employee's sepa-  
13 ration, unless the employee agrees to repay to the United  
14 States an amount equal to such separation pay multiplied  
15 by the proportion of such 12-month period during which  
16 the employee will be so reemployed.

17 (g) The Administrator shall prescribe such regula-  
18 tions as may be necessary to carry out this section.

19 **SEC. 3. AMOUNTS TO REMAIN AVAILABLE.**

20 Amounts appropriated for carrying out this Act may  
21 remain available until expended.

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