

103^D CONGRESS
2^D SESSION

H. R. 4409

To allow service performed as an employee of a nonappropriated fund instrumentality after 1965 and before 1987 to be considered creditable for purposes of civil service retirement.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 1994

Mr. HOBSON (for himself and Mr. HALL of Ohio) introduced the following bill; which was referred to the Committee on Post Office and Civil Service

A BILL

To allow service performed as an employee of a nonappropriated fund instrumentality after 1965 and before 1987 to be considered creditable for purposes of civil service retirement.

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. CREDITABILITY OF PRIOR SERVICE.**

4 Subject to succeeding provisions of this Act, service
5 performed by an individual as an employee described in
6 section 2105(c) of title 5, United States Code, after De-
7 cember 31, 1965, and before January 1, 1987, shall be

1 considered creditable service for purposes of subchapter
2 III of chapter 83 of title 5, United States Code.

3 **SEC. 2. CONDITIONS.**

4 (a) IN GENERAL.—In order for any service described
5 in section 1 to be considered creditable for the purposes
6 described in such section—

7 (1) the service must have been performed by an
8 individual who—

9 (A)(i) on the date of the enactment of this
10 Act, is an employee subject to subchapter III of
11 chapter 83 of title 5, United States Code; or

12 (ii) within 12 months before the date of
13 the enactment of this Act, was separated from
14 a position in which such individual was subject
15 to such subchapter; and

16 (B) as of the date of making application
17 under paragraph (2) or, if later, the date of
18 separation on which entitlement to annuity is
19 based, satisfies the requirements of section
20 8333 of title 5, United States Code (disregard-
21 ing any service for which credit is sought under
22 this Act); and

23 (2) written application must be submitted to
24 the Office of Personnel Management, by the individ-

1 ual who performed the service involved, within 12
2 months after the date of the enactment of this Act.

3 (b) NON-CREDITABILITY OF CERTAIN SERVICE.—

4 Section 1 shall not result in the crediting of any period
5 of service which was performed by an individual while such
6 individual was participating in a retirement system estab-
7 lished for employees described in section 2105(c) of title
8 5, United States Code.

9 **SEC. 3. ANNUITY REDUCTION IN LIEU OF DEPOSIT.**

10 (a) IN GENERAL.—The annuity of any individual de-
11 scribed in section 1 which is computed or recomputed as
12 a result of this Act shall be reduced, under regulations
13 prescribed by the Office of Personnel Management, by an
14 amount determined in a manner such that the present
15 value of all future reductions under this section shall, to
16 the extent practicable, be actuarially equivalent to the
17 present value of the deposit which would otherwise be re-
18 quired under section 8339(i) of title 5, United States Code
19 (including interest) with respect to the service made cred-
20 itable under this Act.

21 (b) LIMITATION.—Nothing in this section shall cause
22 an annuity to be reduced below the amount to which such
23 annuity would be equal if this Act had not been enacted.

24 **SEC. 4. PROVISIONS RELATING TO RECOMPUTATIONS.**

25 In the case of any individual who—

1 (1) retired on an annuity commencing before
2 the date of the enactment of this Act, and

3 (2) performed any service which becomes cred-
4 itable as a result of the enactment of this Act,

5 any annuity recomputation necessitated by this Act shall
6 be effective with respect to payments accruing for months
7 beginning after the date on which application under sec-
8 tion 2(a)(2) is received by the Office of Personnel Manage-
9 ment with respect to such service.

○