

104TH CONGRESS  
2D SESSION

# H. R. 2942

To amend the Railroad Retirement Act of 1974 to prevent the canceling of annuities to certain divorced spouses of workers whose widows elect to receive lump sum payments.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 1996

Mr. JOHNSON of South Dakota introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend the Railroad Retirement Act of 1974 to prevent the canceling of annuities to certain divorced spouses of workers whose widows elect to receive lump sum payments.

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 “Railroad Retirement  
5 Amendment Act of 1996”.

6 **SEC. 2. PROTECTION OF DIVORCED SPOUSES.**

7 (a) IN GENERAL.—Section 6(c) of the Railroad Re-  
8 tirement Act of 1974 is amended—

1           (1) in the last sentence of paragraph (1), by in-  
2           serting “(other than to a survivor in the cir-  
3           cumstances described in paragraph (3))” after “no  
4           further benefits shall be paid”; and

5           (2) by adding at the end the following:

6           “(3) Notwithstanding the last sentence of para-  
7           graph (1), benefits shall be paid to a survivor who—  
8           “(A) is a divorced wife; and  
9           “(B) through administrative error received  
10          benefits otherwise precluded by the making of a  
11          lump sum payment under this section to a  
12          widow;

13          if that divorced wife makes an election to repay to  
14          the Board the lump sum payment. The Board may  
15          withhold up to 10 percent of each benefit amount  
16          paid after the date of the enactment of this para-  
17          graph toward such reimbursement. The Board may  
18          waive such repayment to the extent the Board deter-  
19          mines it would cause an unjust financial hardship  
20          for the beneficiary.”.

21          (b) APPLICATION OF AMENDMENT.—The amendment  
22          made by this section shall apply with respect to any bene-  
23          fits paid before the date of enactment of this Act as well

1 as to benefits payable on or after the date of the enact-  
2 ment of this Act.

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