

103^D CONGRESS
1ST SESSION

H. R. 3325

To amend certain provisions of title 5, United States Code, relating to the age and service requirements for entitlement to an immediate annuity under the Civil Service Retirement System or the Federal Employees' Retirement System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 20, 1993

Mr. SHAYS (for himself, Mr. ANDREWS of Texas, Mr. WALSH, Mr. KOLBE, Mr. SMITH of Texas, Mr. BOEHNER, Mr. FRANK of Massachusetts, and Mr. BALLENGER) introduced the following bill; which was referred to the Committee on Post Office and Civil Service

A BILL

To amend certain provisions of title 5, United States Code, relating to the age and service requirements for entitlement to an immediate annuity under the Civil Service Retirement System or the Federal Employees' Retirement System, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Federal Retirement
5 Reform Act".

1 **SEC. 2. REVISED AGE AND SERVICE REQUIREMENTS**
 2 **UNDER CSRS.**

3 (a) AMENDMENT RELATING TO RETIREMENT AT
 4 AGE 55 WITH 30 YEARS OF SERVICE.—Section 8336(a)
 5 of title 5, United States Code, is amended to read as fol-
 6 lows:

7 “(a)(1)(A) Subject to paragraph (2), an employee
 8 who is separated from the service after attaining the mini-
 9 mum retirement age under subparagraph (B) and com-
 10 pleting 30 years of service is entitled to an annuity.

11 “(B) The minimum retirement age under this sub-
 12 paragraph shall be determined in accordance with the
 13 following:

“For those whose date of separation occurs	The minimum retirement age under this subparagraph is
Before January 1, 1996	55
After December 31, 1995, and before January 1, 1998	56
After December 31, 1997, and before January 1, 2000	57
After December 31, 1999, and before January 1, 2002	58
After December 31, 2001, and before January 1, 2004	59
After December 31, 2003, and before January 1, 2006	60
After December 31, 2005, and before January 1, 2008	61
After December 31, 2007, and before January 1, 2010	62
After December 31, 2009, and before January 1, 2012	63
After December 31, 2011, and before January 1, 2014	64.

14 “(2) Any employee who, after December 31, 2013,
 15 is separated from the service after becoming 65 years of
 16 age and completing 5 years of service is entitled to an an-
 17 nuity.”.

18 (b) AMENDMENT RELATING TO RETIREMENT AT
 19 AGE 60 WITH 20 YEARS OF SERVICE.—Section 8336(b)

1 of title 5, United States Code, is amended to read as fol-
2 lows:

3 “(b)(1) Subject to paragraph (2), an employee who
4 is separated from the service after becoming 60 years of
5 age and completing 20 years of service is entitled to an
6 annuity.

7 “(2) This subsection shall not apply in the case of
8 any employee whose date of separation occurs after De-
9 cember 31, 2003.”.

10 (c) AMENDMENT RELATING TO RETIREMENT AT AGE
11 62 WITH 5 YEARS OF SERVICE.—Section 8336(f) of title
12 5, United States Code, is amended to read as follows:

13 “(f)(1) Subject to paragraph (2), an employee who
14 is separated from the service after becoming 62 years of
15 age and completing 5 years of service is entitled to an an-
16 nuity.

17 “(2) This subsection shall not apply in the case of
18 any employee whose date of separation occurs after De-
19 cember 31, 2007.”.

20 (d) REDUCTION FOR EARLY RETIREMENT.—The
21 first sentence of section 8339(h) of title 5, United States
22 Code, is amended by striking “55 years of age” and insert-
23 ing “the minimum age required to be eligible to retire
24 under paragraph (1) or (2) of section 8336(a) (as the case
25 may be)”.

1 **SEC. 3. REVISED AGE AND SERVICE REQUIREMENTS**
 2 **UNDER FERS.**

3 (a) AMENDMENT RELATING TO RETIREMENT AT
 4 AGE 55 to 57 WITH 30 YEARS OF SERVICE.—Section
 5 8412(a) of title 5, United States Code, is amended to read
 6 as follows:

7 “(a)(1) An employee or Member who, before January
 8 1, 2000, is separated from the service after attaining the
 9 applicable minimum retirement age under subsection (h)
 10 and completing 30 years of service is entitled to an annu-
 11 ity.

12 “(2)(A) Subject to paragraph (3), an employee or
 13 Member who, after December 31, 1999, is separated from
 14 the service after attaining the minimum retirement age
 15 under subparagraph (B) and completing 30 years of serv-
 16 ice is entitled to an annuity.

17 “(B) The minimum retirement age under this sub-
 18 paragraph shall be determined in accordance with the
 19 following:

“For those whose date of separation occurs	The minimum retirement age under this subparagraph is
After December 31, 1999, and before January 1, 2002	58
After December 31, 2001, and before January 1, 2004	59
After December 31, 2003, and before January 1, 2006	60
After December 31, 2005, and before January 1, 2008	61
After December 31, 2007, and before January 1, 2010	62
After December 31, 2009, and before January 1, 2012	63
After December 31, 2011, and before January 1, 2014	64.

20 “(3) Any employee or Member who, after December
 21 31, 2013, is separated from the service after becoming 65

1 years of age and completing 5 years of service is entitled
2 to an annuity.”.

3 (b) AMENDMENT RELATING TO RETIREMENT AT
4 AGE 60 WITH 20 YEARS OF SERVICE.—Section 8412(b)
5 of title 5, United States Code, is amended to read as
6 follows:

7 “(b)(1) Subject to paragraph (2), an employee or
8 Member who is separated from the service after becoming
9 60 years of age and completing 20 years of service is enti-
10 tled to an annuity.

11 “(2) This subsection shall not apply in the case of
12 any employee or Member whose date of separation occurs
13 after December 31, 2003.”.

14 (c) AMENDMENT RELATING TO RETIREMENT AT AGE
15 62 WITH 5 YEARS OF SERVICE.—

16 Section 8412(c) of title 5, United States Code, is
17 amended to read as follows:

18 “(c)(1) Subject to paragraph (2), an employee or
19 Member who is separated from the service after becoming
20 62 years of age and completing 5 years of service is enti-
21 tled to an annuity.

22 “(2) This subsection shall not apply in the case of
23 any employee or Member whose date of separation occurs
24 after December 31, 2007.”.

1 (d) REDUCTION FOR EARLY RETIREMENT.—Section
2 8415(f)(1) of title 5, United States Code, is amended by
3 striking “the sixty-second anniversary of the birth of the
4 employee or Member” and inserting “the date as of which
5 such employee or Member attains the minimum retirement
6 age required to be eligible to retire under paragraph (1),
7 (2), or (3) of section 8412(a) (as the case may be)”.

8 **SEC. 4. ELIMINATION OF AGE AND SERVICE REQUIRE-**
9 **MENTS SPECIFIC TO MEMBERS OF CON-**
10 **GRESS.**

11 (a) ELIMINATION OF REQUIREMENTS.—Sections
12 8336(g) and 8412(f) of title 5, United States Code, are
13 repealed.

14 (b) MEMBERS MADE SUBJECT TO THE GENERALLY
15 APPLICABLE REQUIREMENTS.—

16 (1) RETIREMENT AT AGE 55 WITH 30 YEARS OF
17 SERVICE.—Section 8336(a) of title 5, United States
18 Code, as amended by section 2(a), is further amend-
19 ed by inserting “or Member” after “employee” each
20 place it appears.

21 (2) RETIREMENT AT AGE 60 WITH 20 YEARS OF
22 SERVICE.—Section 8336(b) of title 5, United States
23 Code, as amended by section 2(b), is further amend-
24 ed by inserting “or Member” after “employee” each
25 place it appears.

1 (3) RETIREMENT AT AGE 62 WITH 5 YEARS OF
 2 SERVICE.—Section 8336(f) of title 5, United States
 3 Code, as amended by section 2(c), is further amend-
 4 ed by inserting “or Member” after “employee” each
 5 place it appears.

6 (c) EFFECTIVE DATE.—The amendments made by
 7 this section shall take effect on January 1, 1996, and shall
 8 apply with respect to separations occurring on or after
 9 that date.

10 **SEC. 5. FIREFIGHTERS; LAW ENFORCEMENT OFFICERS; AIR**
 11 **TRAFFIC CONTROLLERS.**

12 (a) YEARS OF SERVICE REQUIRED FOR AN IMME-
 13 DIATE ANNUITY UNDER CSRS—

14 (1) SCHEDULE FOR INCREASING YEARS RE-
 15 QUIRED TO 30.—Section 8336 of title 5, United
 16 States Code, is amended by adding at the end the
 17 following:

18 “(o)(1) The minimum years of service required under
 19 this paragraph shall be determined in accordance with the
 20 following:

“For those whose date of separation occurs	The minimum number of years of service required under this paragraph is
Before January 1, 1996	25
After December 31, 1995, and before January 1, 1998	26
After December 31, 1997, and before January 1, 2000	27
After December 31, 1999, and before January 1, 2002	28
After December 31, 2001, and before January 1, 2004	29
After December 31, 2003	30.

1 “(2) The minimum years of service required under
 2 this paragraph shall be determined in accordance with the
 3 following:

“For those whose date of separation occurs	The minimum number of years of service required under this paragraph is
Before January 1, 1996	20
After December 31, 1995, and before January 1, 1998	21
After December 31, 1997, and before January 1, 2000	22
After December 31, 1999, and before January 1, 2002	23
After December 31, 2001, and before January 1, 2004	24
After December 31, 2003, and before January 1, 2006	25
After December 31, 2005, and before January 1, 2008	26
After December 31, 2007, and before January 1, 2010	27
After December 31, 2009, and before January 1, 2012	28
After December 31, 2011, and before January 1, 2014	29
After December 31, 2013	30.”.

4 (2) LAW ENFORCEMENT OFFICERS AND FIRE-
 5 FIGHTERS.—Section 8336(c)(1) of title 5, United
 6 States Code, is amended to read as follows:

7 “(c)(1) An employee who is separated from the serv-
 8 ice after becoming 50 years of age and completing a total
 9 number of years of service as a law enforcement officer
 10 or firefighter (including a combination of both types of
 11 service) equal to at least the number of years required
 12 under section 8336(o)(2) is entitled to an annuity.”.

13 (3) AIR TRAFFIC CONTROLLERS.—Section
 14 8336(e) of title 5, United States Code, is amended
 15 to read as follows:

16 “(e) An employee who is voluntarily or involuntarily
 17 separated from the service, except by removal for cause
 18 on charges of misconduct or delinquency, after—

1 “(1) completing a number of years of service, at
2 least equal to the number of years required under
3 section 8336(o)(1), as an air traffic controller, or

4 “(2) becoming 50 years of age and completing
5 a number of years of service, at least equal to the
6 number of years required under section 8336(o)(2),
7 as an air traffic controller,
8 is entitled to an annuity.”.

9 (4) MEMBERS OF THE CAPITOL POLICE.—Sec-
10 tion 8336(m) of title 5, United States Code, is
11 amended to read as follows:

12 “(m) A member of the Capitol Police who is sepa-
13 rated from the service after becoming 50 years of age and
14 completing a total number of years of service as a member
15 of the Capitol Police or as a law enforcement officer (in-
16 cluding a combination of both types of service) equal to
17 at least the number of years required under section
18 8336(o)(2) is entitled to an annuity.”.

19 (b) YEARS OF SERVICE REQUIRED FOR AN IMME-
20 DIATE ANNUITY UNDER FERS.—

21 (1) SCHEDULE FOR INCREASING YEARS RE-
22 QUIRED TO 30.—Section 8412 of title 5, United
23 States Code, is amended by adding at the end the
24 following:

1 “(i)(1) The minimum years of service required under
 2 this paragraph shall be determined in accordance with the
 3 following:

“For those whose date of separation occurs	The minimum number of years of service required under this paragraph is
Before January 1, 1996	25
After December 31, 1995, and before January 1, 1998	26
After December 31, 1997, and before January 1, 2000	27
After December 31, 1999, and before January 1, 2002	28
After December 31, 2001, and before January 1, 2004	29
After December 31, 2003	30.

4 “(2) The minimum years of service required under
 5 this paragraph shall be determined in accordance with the
 6 following:

“For those whose date of separation occurs	The minimum number of years of service required under this paragraph is
Before January 1, 1996	20
After December 31, 1995, and before January 1, 1998	21
After December 31, 1997, and before January 1, 2000	22
After December 31, 1999, and before January 1, 2002	23
After December 31, 2001, and before January 1, 2004	24
After December 31, 2003, and before January 1, 2006	25
After December 31, 2005, and before January 1, 2008	26
After December 31, 2007, and before January 1, 2010	27
After December 31, 2009, and before January 1, 2012	28
After December 31, 2011, and before January 1, 2014	29
After December 31, 2013	30.”.

7 (2) LAW ENFORCEMENT OFFICERS, MEMBERS
 8 OF THE CAPITOL POLICE, AND FIREFIGHTERS.—Sec-
 9 tion 8412(d) of title 5, United States Code, is
 10 amended to read as follows:

11 “(d) An employee who is separated from the service,
 12 except by removal for cause on charges of misconduct or
 13 delinquency, after—

1 “(1) completing a total number of years of serv-
2 ice as a law enforcement officer, member of the Cap-
3 itol Police, or firefighter (including any combination
4 of such service) totaling at least the number of years
5 required under subsection (i)(1), or

6 “(2) becoming 50 years of age and completing
7 a total number of years of service as a law enforce-
8 ment officer, member of the Capitol Police, or fire-
9 fighter (including any combination of such service)
10 totaling at least the number of years required under
11 subsection (i)(2),
12 is entitled to an annuity.”.

13 (3) AIR TRAFFIC CONTROLLERS.—Section
14 8412(e) of title 5, United States Code, is amended
15 to read as follows:

16 “(e) An employee who is separated from the service,
17 except by removal for cause on charges of misconduct or
18 delinquency, after—

19 “(1) completing a number of years of service, at
20 least equal to the number of years required under
21 section 8412(i)(1), as an air traffic controller, or

22 “(2) becoming 50 years of age and completing
23 a number of years of service, at least equal to the
24 number of years required under section 8412(i)(2),
25 as an air traffic controller,

1 is entitled to an annuity.”.

2 (c) MANDATORY SEPARATION UNDER CSRS.—

3 (1) LAW ENFORCEMENT OFFICERS AND FIRE-
4 FIGHTERS.—Section 8335(b) of title 5, United
5 States Code, is amended by striking the first 2 sen-
6 tences and inserting the following: “A firefighter
7 who is otherwise eligible for immediate retirement
8 under section 8336(c) shall be separated from the
9 service on the last day of the month in which such
10 firefighter becomes 55 years of age or completes the
11 minimum number of years of service required to re-
12 tire under section 8336(c) if then over that age. A
13 law enforcement officer who is otherwise eligible for
14 immediate retirement under section 8336(c) shall be
15 separated from the service on the last day of the
16 month in which that officer becomes 57 years of age
17 or completes the minimum number of years of serv-
18 ice required to retire under section 8336(c) if then
19 over that age.”.

20 (2) MEMBERS OF THE CAPITOL POLICE.—Sec-
21 tion 8335(d) of title 5, United States Code, is
22 amended by striking the first sentence and inserting
23 the following: “A member of the Capitol Police who
24 is otherwise eligible for immediate retirement under
25 section 8336(m) shall be separated from the service

1 on the last day of the month in which such member
2 becomes 55 years of age or completes the minimum
3 number of years of service required to retire under
4 section 8336(m) if then over that age.”.

5 (d) MANDATORY SEPARATION UNDER FERS.—

6 (1) LAW ENFORCEMENT OFFICERS, MEMBERS
7 OF THE CAPITOL POLICE, AND FIREFIGHTERS.—Sec-
8 tion 8412(b) of title 5, United States Code, is
9 amended by striking the first 2 sentences and insert-
10 ing the following: “A member of the Capitol Police
11 or firefighter who is otherwise eligible for immediate
12 retirement under section 8412(d) shall be separated
13 from the service on the last day of the month in
14 which such member or firefighter becomes 55 years
15 of age or completes the minimum number of years
16 of service required to retire under section 8412(d) if
17 then over that age. A law enforcement officer who
18 is otherwise eligible for immediate retirement under
19 section 8412(d) shall be separated from the service
20 on the last day of the month in which that law en-
21 forcement officer becomes 57 years of age or com-
22 pletes the minimum number of years of service re-
23 quired to retire under section 8412(d) if then over
24 that age.”.

1 (2) AIR TRAFFIC CONTROLLERS.—Section
2 8412(a) of title 5, United States Code, is amended
3 by striking the first sentence and inserting the fol-
4 lowing: “An air traffic controller who is otherwise el-
5 igible for immediate retirement under section
6 8412(e) shall be separated from the service on the
7 last day of the month in which that air traffic con-
8 troller becomes 56 years of age or completes the
9 minimum number of years of service required to re-
10 tire under section 8412(e) if then over that age.”.

11 **SEC. 6. TECHNICAL AND CONFORMING AMENDMENTS.**

12 (a) DEFERRED RETIREMENT.—

13 (1) CSRS.—Section 8338(a) of title 5, United
14 States Code, is amended by striking “years.” and in-
15 serting “years or, if higher, the minimum age then
16 required to be eligible to retire under paragraph (1)
17 or (2) of section 8336(a), as the case may be.”.

18 (2) FERS.—Section 8413(a) of title 5, United
19 States Code, is amended by striking “years.” and in-
20 serting “years or, if higher, the minimum age then
21 required to be eligible to retire under paragraph (1),
22 (2), or (3) of section 8412(a), as the case may be.”.

23 (b) IMMEDIATE ANNUITY UNDER FERS WITH
24 RIGHT TO DEFER COMMENCEMENT DATE.—Section
25 8412(g) of title 5, United States Code, is amended—

1 (1) in paragraph (1) by inserting after “sub-
2 section (h)” the following: “, or, if higher, the mini-
3 mum age then required to be eligible to retire under
4 paragraph (1), (2), or (3) of section 8412(a), as ap-
5 plicable,”; and

6 (2) in paragraph (2) by striking “62 years of
7 age.” and inserting “65 years of age”.

8 (c) ELIMINATION OF HIGHER PERCENTAGE USED IN
9 FERS COMPUTATIONS AFTER 2007.—Section 8415(g)(2)
10 of title 5, United States Code, is amended by striking
11 “controller.” and inserting “controller, or in the case of
12 any benefits computed based on a separation occurring
13 after December 31, 2007.”.

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