

103^D CONGRESS
1ST SESSION

H. R. 3490

To include as creditable service, for purposes of the Civil Service Retirement System, certain periods of service performed in certain Federal-State cooperative agricultural programs.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 10, 1993

Mr. DE LA GARZA introduced the following bill; which was referred to the Committee on Post Office and Civil Service

A BILL

To include as creditable service, for purposes of the Civil Service Retirement System, certain periods of service performed in certain Federal-State cooperative agricultural programs.

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 “Cooperative Agricul-
5 tural Programs Extended Retirement Credit Act of
6 1993”.

7 **SEC. 2. PURPOSES.**

8 The purposes of this Act are—

1 (1) to make creditable, for purposes of the Civil
2 Service Retirement System, periods of service in cer-
3 tain qualified Federal-State cooperative programs
4 which had agricultural or related purposes; and

5 (2) to expedite the retirement of certain Fed-
6 eral Government employees by providing them im-
7 proved retirement opportunities at typical retirement
8 ages, thereby mitigating potentially adverse effects
9 of deficit-control measures on the welfare of those
10 and other employees of the Department of Agri-
11 culture.

12 **SEC. 3. CREDITABILITY OF PRIOR SERVICE.**

13 (a) IN GENERAL.—Subject to section 8334(c) of title
14 5, United States Code, upon application to the Office of
15 Personnel Management within 6 months after the date of
16 the enactment of this Act, any individual who is an em-
17 ployee (as defined by section 8331(1) or 8401(11) of such
18 title) on such date shall be allowed credit under sub-
19 chapter III of chapter 83 of such title for any service if
20 such service was performed by such individual—

21 (1) before January 1, 1984; and

22 (2) as an employee of a State, or an instrumen-
23 tality of a State, in which capacity such individual
24 performed duties relating to the carrying out of a
25 program described in subsection (b).

1 (b) DESCRIPTION OF PROGRAMS.—The programs re-
2 ferred to in subsection (a) are—

3 (1) the Federal-State cooperative program of
4 agricultural research of the State agricultural exper-
5 iment stations as defined in section 1 of the Act en-
6 titled “An Act to consolidate the Hatch Act of 1887
7 and laws supplementary thereto relating to the ap-
8 propriation of Federal funds for support of agricul-
9 tural experiment stations in the States, Alaska, Ha-
10 waii, and Puerto Rico”, approved August 11, 1955
11 (69 Stat. 671);

12 (2) the Federal-State cooperative program of
13 forestry research at eligible institutions of the State
14 as defined in section 2 of the Act entitled “An Act
15 to authorize the Secretary of Agriculture to encour-
16 age and assist the several States in carrying on a
17 program of forestry research, and for other pur-
18 poses”, approved October 10, 1962 (76 Stat. 806),
19 and popularly referred to as the “McIntire-Stennis
20 Act”;

21 (3) the Federal-State cooperative program of
22 agricultural research for the fiscal year ending June
23 30, 1967 and later fiscal years at the 1890 land-
24 grant colleges, including Tuskegee Institute, as de-
25 fined in subsection 1445(a) of the “National Agri-

1 cultural Research, Extension, and Teaching Policy
2 Act of 1977”, approved September 29, 1977 (91
3 Stat. 1009);

4 (4) the Federal-State cooperative program of
5 agricultural extension work authorized by the Act
6 entitled “An Act to provide for cooperative agricul-
7 tural extension work between the agricultural col-
8 leges in the several States receiving the benefits of
9 an Act of Congress approved July second, eighteen
10 hundred and sixty-two, and of Acts supplementary
11 thereto, and the United States Department of Agri-
12 culture”, approved May 8, 1914 (38 Stat. 372), and
13 acts supplementary thereto;

14 (5) the Federal-State cooperative program of
15 vocational education including, but not limited to,
16 State programs of instruction in vocational agri-
17 culture and home economics, authorized by the Act
18 entitled “An Act to provide for the promotion of vo-
19 cational education; to provide for cooperation with
20 the States in the promotion of such education in ag-
21 riculture and the trades and industries; to provide
22 for cooperation with the States in the preparation of
23 teachers of vocational subjects; and to appropriate
24 money and regulate its expenditure”, approved Feb-

1 ruary 23, 1917 (39 Stat. 929), and acts supple-
2 mentary thereto;

3 (6) the Federal-State cooperative program in
4 marketing service and research authorized by the
5 “Agricultural Marketing Act of 1946”, approved Au-
6 gust 14, 1946 (60 Stat. 1087), and predecessor pro-
7 grams, including programs to inspect, certify, and
8 identify the class, quality, quantity, and condition of
9 agricultural products shipped or received in inter-
10 state commerce; and programs of inspection and
11 weighing services authorized by the United States
12 Grain Standards Act (7 U.S.C. 71 and following),
13 whether performed by a delegated State agency or a
14 designated private agency;

15 (7) the Federal-State cooperative program for
16 the control of plant pests and animal diseases au-
17 thorized by the provisions under the subheading
18 “Federal Horticulture Board” under the heading
19 “Department of Agriculture” in the Act entitled “An
20 Act making appropriations to supply urgent defi-
21 ciencies in appropriations for the fiscal year ending
22 June thirtieth, nineteen hundred and eighteen, and
23 prior fiscal years, on account of war expenses, and
24 for other purposes”, approved October 6, 1917 (40
25 Stat. 374); by section 102 of the “Department of

1 Agriculture Organic Act of 1944”, approved Septem-
2 ber 21, 1944 (58 Stat. 734); by the joint resolution
3 entitled “Joint resolution making funds available for
4 the control of incipient or emergency outbreaks of
5 insect pests or plant diseases, including grass-
6 hoppers, mormon crickets, and chinch bugs”, ap-
7 proved April 6, 1937 (50 Stat. 57); by the Act enti-
8 tled “An Act to provide for regulating, inspecting,
9 cleaning, and, when necessary, disinfecting railway
10 cars, other vehicles, and other materials entering the
11 United States from Mexico”, approved January 31,
12 1942 (56 Stat. 40); by the Act entitled “An Act to
13 regulate the importation of nursery stock and other
14 plants and plant products; to enable the Secretary of
15 Agriculture to establish and maintain quarantine
16 districts for plant diseases and insect pests; to per-
17 mit and regulate the movement of fruits, plants, and
18 vegetables therefrom, and for other purposes”, ap-
19 proved August 20, 1912 (37 Stat. 315); by the first
20 paragraph under the subheading “Enforcement of
21 the Plant-Quarantine Act” under the heading “Mis-
22 cellaneous” in the Act entitled “An Act making ap-
23 propriations for the Department of Agriculture for
24 the fiscal year ending June thirtieth, nineteen hun-
25 dred and fourteen”, approved March 4, 1913 (37

1 Stat. 853), insofar as such paragraph relates to the
2 importation of certain plants for scientific purposes;
3 by the second, third, and fourth paragraphs under
4 the subheading “Enforcement of the Plant-Quar-
5 antine Act” under the heading “Miscellaneous” in
6 the Act entitled “An Act making appropriations for
7 the Department of Agriculture for the fiscal year
8 ending June thirtieth, nineteen hundred and six-
9 teen”, approved March 4, 1915 (38 Stat. 1113); and
10 by section 11 of the Act entitled “An Act for the es-
11 tablishment of a Bureau of Animal Industry, to pre-
12 vent the exportation of diseased cattle, and to pro-
13 vide for the suppression and extirpation of
14 pleuropneumonia and other contagious diseases
15 among domestic animals”, approved May 29, 1884
16 (23 Stat. 31);

17 (8) the Federal-State cooperative programs of
18 forest protection, management, and improvement
19 performed under authority of the Act entitled “An
20 Act to provide for the protection of forest lands, for
21 the reforestation of denuded areas, for the extension
22 of national forests, and for other purposes, in order
23 to promote the continuous production of timber on
24 the lands chiefly suitable therefore”, approved June
25 7, 1924 (43 Stat. 653); of the “Cooperative Forest

1 Management Act”, approved August 25, 1950 (64
2 Stat. 473); and of the “Forest Pest Control Act”,
3 approved June 25, 1947 (61 Stat. 177); and the
4 predecessor programs of any Act referred to in this
5 paragraph;

6 (9) the Federal-State cooperative programs of
7 emergency relief, including State rural rehabilitation
8 corporation programs, established for the purposes
9 of the Federal Emergency Relief Act of 1933, ap-
10 proved May 12, 1933 (48 Stat. 55); the Act entitled
11 “An Act making an additional appropriation to
12 carry out the purposes of the Federal Emergency
13 Relief Act of 1933, for continuation of the civil
14 works program, and for other purposes”, approved
15 February 15, 1934 (48 Stat. 351); and title II of
16 the Act entitled “An Act making appropriations to
17 supply deficiencies in certain appropriations for the
18 fiscal year ending June 30, 1934, and prior fiscal
19 years, to provide supplemental general and emer-
20 gency appropriations for the fiscal years ending
21 June 30, 1934, and June 30, 1935, and for other
22 purposes”, approved June 19, 1934 (48 Stat. 1021);

23 (10) the Federal-State Cooperative Veterans’
24 educational programs, including part-time instruc-
25 tion in on-the-farm training programs, as provided

1 for in title II, chapter IV, “Education of Veterans”,
2 of the “Serviceman’s Readjustment Act of 1944”,
3 approved June 22, 1944 (58 Stat. 287), and subse-
4 quent amendments and Acts pertaining thereto; and
5 (11) the Federal-State cooperative programs in
6 wildlife restoration and in fish restoration and man-
7 agement authorized respectively by the Acts entitled
8 “An Act to provide that the United States shall aid
9 these States in wildlife restoration projects, and for
10 other purposes”, approved September 2, 1937 (50
11 Stat. 917), and popularly referred to as the “Pitt-
12 man-Robertson Act”, and “An Act to provide that
13 the United States shall aid the States in fish res-
14 toration and management projects, and for other
15 purposes”, approved August 9, 1950 (64 Stat. 431),
16 and popularly referred to as the “Dingell-Johnson
17 Act”, and the program of animal damage control au-
18 thorized by the Act entitled “An Act to authorize the
19 Secretary of Agriculture to carry out his ten-year co-
20 operative program for the eradication, suppression,
21 or bringing under control of predatory and other
22 wild animals injurious to agriculture, horticulture,
23 forestry, animal husbandry, wild game, and other in-
24 terests, and for the suppression of rabies and tula-
25 remia in predatory or other wild animals, and for

1 other purposes”, approved March 2, 1931 (46 Stat.
2 1468), as amended and supplemented.

3 (c) CERTIFICATION.—The Office of Personnel Man-
4 agement shall, with respect to any service for which credit
5 is sought under this Act, accept the certification of the
6 Secretary of Agriculture or his designee.

7 **SEC. 4. APPLICABILITY TO ANNUITANTS.**

8 (a) IN GENERAL.—An annuity or survivor annuity—

9 (1) computed in whole or in part in accordance
10 with subchapter III of chapter 83 of title 5, United
11 States Code,

12 (2) which is based on the service of an individ-
13 ual who performed service described in section 3,
14 and

15 (3) the commencement date of which precedes
16 the date of the enactment of this Act,

17 shall be recomputed in accordance with section 3 if appli-
18 cation therefor is made, and the deposit requirement
19 under section 3(a) is met, within 6 months after the date
20 of the enactment of this Act.

21 (b) RECOMPUTATION RULE.—Any change in an an-
22 nuity or survivor annuity resulting from a recomputation
23 under subsection (a) shall be effective as of the first day
24 of the first month which begins after the date of the enact-
25 ment of this Act.

1 **SEC. 5. DEFINITION.**

2 For the purpose of this Act, the term “State” in-
3 cludes the District of Columbia, Puerto Rico, Guam,
4 American Samoa, the Virgin Islands, and the territories
5 of Hawaii and Alaska prior to statehood.

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