

Public Law 95-366
95th Congress

An Act

Sept. 15, 1978
[H.R. 8771]

To amend title 5, United States Code, to authorize the Civil Service Commission to comply with the terms of a court decree, order, or property settlement in connection with the divorce, annulment, or legal separation of a Federal employee who is under the civil service retirement system, and for other purposes.

Civil Service
Commission,
annuities to
spouses of retired
federal
employees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 8345 of title 5, United States Code, relating to payment of civil service retirement benefits, is amended by redesignating the last two subsections as subsections (h) and (i) and by adding at the end thereof the following new subsection:

“(j) (1) Payments under this subchapter which would otherwise be made to an employee, Member, or annuitant based upon his service shall be paid (in whole or in part) by the Commission to another person if and to the extent expressly provided for in the terms of any court decree of divorce, annulment, or legal separation, or the terms of any court order or court-approved property settlement agreement incident to any court decree of divorce, annulment, or legal separation. Any payment under this paragraph to a person bars recovery by any other person.

“(2) Paragraph (1) shall only apply to payments made by the Commission under this subchapter after the date of receipt in the Commission of written notice of such decree, order, or agreement, and such additional information and documentation as the Commission may prescribe.

“(3) As used in this subsection, ‘court’ means any court of any State or the District of Columbia.”

(b) Section 8346(a) of title 5, United States Code, is amended by striking out “section 8345(g)” and inserting in lieu thereof “subsection (h) and (j) of section 8345”.

SEC. 2. The amendments made by the first section of this Act shall only apply to payments made from the Civil Service Retirement and Disability Fund after the date of the enactment of this Act.

Approved September 15, 1978.

“Court.”

5 USC 8345
note.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 95-713 (Comm. on Post Office and Civil Service).

SENATE REPORT No. 95-1084 (Comm. on Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 124 (1978):

Jan. 23, considered and passed House.

Aug. 16, considered and passed Senate.