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agency that (i) the procedures in this subpart and 4 CFR 102.4 must be completed; and (ii) a debt claim must be sent to OPM within 120 days of the date of OPM's notice to the creditor agency. At the request of the creditor agency, one extension of time of not more than 60 days will be granted, as provided by §845.406(a).

(4) If OPM is not notified that a complaint has been filed or that the claim has been referred to the creditor agency within the applicable 180-day period, OPM will pay the balance of the refund to the debtor.

(d) *OPM processing against annuities.* If the debtor has filed an annuity claim, OPM will not take action against the annuity. OPM will continue to pay the annuity unless and until there is a final judgment for the United States or submission of a complete debt claim.

(e) *OPM collection and payment of the debt.* (1) If the United States obtains a judgment against the debtor for the amount of the debt or the creditor agency submits a complete debt claim, OPM will collect and pay the debt to the creditor agency as provided in §§845.406 and 845.407.

(2) If the suit or the administrative proceeding results in a judgment for the debtor without establishing a debt to the United States, OPM will pay the balance of the refund to the debtor upon receipt of a certified copy of the judgment or administrative decision.

PART 846—FEDERAL EMPLOYEES RETIREMENT SYSTEM—ELECTING COVERAGE

Subpart A—General Provisions

Sec.

846.101 Purpose.
846.102 Definitions.

Subpart B—Elections

846.201 Elections to become subject to FERS.
846.202 Condition for making an election.
846.203 Agency responsibilities.
846.204 Belated elections and correction of administrative errors.
846.205 Reconsideration and appeal rights.

Subpart C—Effect of an Election to Become Subject to FERS

846.301 General rules.
846.302 Crediting civilian service.
846.303 Crediting military service.
846.304 Computing FERS annuities for persons with CSRS service.
846.305 General inapplicability of CSRS provisions.

Subpart D—Refunds of CSRS Contributions.

846.401 Refunds of excess contributions.
846.402 Refunds of all CSRS contributions.

Subpart E—Cancellation of Designations of Beneficiary

846.501 Cancellation upon transfer to FERS.

AUTHORITY: 5 U.S.C. 8461(g); §846.201(b) also issued under 5 U.S.C. 7701(b)(2); §846.202 also issued under section 301(d)(3) of Pub. L. 99–335, 100 Stat. 600; §846.201(b)(ii) also issued under section 153 of Pub. L. 104–134, 110 Stat. 1321.

SOURCE: 52 FR 19235, May 21, 1987, unless otherwise noted.

Subpart A—General Provisions

§846.101 Purpose.

This part identifies the employees who may transfer to the Federal Employees Retirement System (FERS), gives the conditions under which they may transfer, and sets forth the method of computing the annuities of employees who transfer to FERS.

§846.102 Definitions.

In this part—

CSRS means subchapter III of chapter 83 of title 5, United States Code.

CSRS/SS service means service subject to both CSRS deductions (or deductions under another retirement system for Federal employees if such service is creditable under CSRS) and social security deductions as a result of the Social Security Amendments of 1983. For this purpose, the service of an individual is considered CSRS/SS service if the service would have been covered under CSRS except for an election under section 208(a)(1)(A) of the Federal Employees Retirement Contribution Temporary Adjustment Act of 1983 to have no CSRS coverage.

Employee means an employee as defined by §842.102 of this chapter.