Public Law 303 CHAPTER 59

AN ACT

March 6, 1954
[S. 2175]

To amend title VI of the Legislative Reorganization Act of 1946, as amended, with respect to the retirement of employees in the Legislative Branch.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Title VI of the Legislative Reorganization Act of 1946, as amended, is amended by adding at the end thereof the following new section:

Legislative Branch.
Retirement benefits.
60 Stat. 850.

"SEC. 603. (a) Section 4 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following new subsection:

46 Stat. 468; 63 Stat. 476.
5 USC 698.
Computation.

"'(g) Any officer or employee in the legislative branch of the Government within the classes of officers and employees made eligible for the benefits of this Act by the Act of July 13, 1937, the Act of June 21, 1947, or the Act of July 23, 1953, who is separated from service on or after the date of enactment of this subsection after having rendered at least five years of service as such an officer or employee and after having become entitled to an immediate or future annuity under this Act shall, if he so elects at the time of commencement of such annuity, be paid, in lieu of an annuity computed under subsection (a), a life annuity equal to the sum of the following:

50 Stat. 512; 61 Stat. 135; 67 Stat. 186.
5 USC 693b-693d, 698b, 715d, 719a, 693.

"'(A) 2½ per centum of the average salary, pay, or compensation received by him during any five consecutive years of allowable service at his option multiplied by the sum of the years, not exceeding fifteen, of his service as an employee described in this subsection and of his allowable military or naval service; and

"'(B) 1½ per centum of such average salary, pay, or compensation multiplied by the years of his allowable service other than service used in computing annuity under clause (A).

Restrictions.

In no case shall an annuity computed under this subsection exceed an amount equal to 80 per centum of the highest average annual salary, pay, or compensation received by the officer or employee during any five consecutive years of allowable service. No officer or employee shall be entitled to the benefits of this subsection unless (i) there shall have been deducted and withheld from his salary, pay, or compensation for the last five years of his allowable civilian service, or there shall have been deposited under section 9 with respect to such last five years of service, the amounts specified in section 9, and (ii) the last eleven months of his allowable civilian service shall have been performed as an employee described in this subsection. Service performed prior to the date of enactment of this subsection shall not be counted for the purposes of this subsection in the case of any person not serving as an officer or employee described in this subsection on such date unless such person performs at least eleven months of service as such an officer or employee subsequent to such date. Paragraphs (A) and (B) hereof shall also apply in the case of any person who was heretofore or is hereafter separated from the service with title to annuity and who hereafter serves as a Member of Congress.'

5 USC 736b.

Later service as Member of Congress.

"(b) Section 3 (a) of such Act is amended by adding at the end thereof the following new paragraph:

5 USC 693(a).

"'Notwithstanding any other provision of this Act, any officer or employee in the legislative branch of the Government within the classes of officers or employees which were made eligible for the benefits of this Act by the Act of July 13, 1937, the Act of June 21, 1947, or the Act of July 23, 1953, serving in such position on the date of enactment of this paragraph, may give notice of his desire to come within the purview of this Act at any time prior to the expiration of six months after such date of enactment.'

Notice.

5 USC 693b-693d, 698b, 715d, 719a, 693.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

60 Stat. 850.
5 USC 693-1.

"(c) Section 3A of such Act is amended as follows:

"(1) Paragraph (3) is amended to read as follows:

Members of Congress.
Eligibility.

"'(3) No person shall be entitled to receive an annuity as provided in this section until he shall have become separated from the service after having had at least six years of service as a Member of Congress and have attained the age of sixty-two years, except that (A) any such Member who shall have had at least five years of service as a Member of Congress may, subject to the provisions of section 6 and of paragraph (4) of this section, be retired for disability, irrespective of age, and be paid an annuity computed in accordance with paragraph (5) of this section, and (B) any such Member who shall have become separated from the service after having had at least ten years of service as a Member of Congress and have attained the age of sixty years may receive an annuity computed in accordance with paragraph (5) of this section reduced by one-fourth of 1 per centum for each full month he is under the age of sixty-two years.'

5 USC 710-714.

"(2) Paragraph (5) is amended to read as follows:

Amount of annuity.
5 USC 736b, 698 (b), (c).

"'(5) Subject to the provisions of section 9 and of subsections (b) and (c) of section 4, the annuity of a Member of Congress shall be an amount equal to 2½ per centum of the average annual basic salary, pay, or compensation received by him as a Member of Congress subsequent to the date of enactment of the Legislative Reorganization Act of 1946, as amended, multiplied by the sum of his years of service as a Member of Congress and his years of active service performed as a member of the armed forces of the United States prior to his separation from service as a Member of Congress, but no such annuity shall exceed an amount equal to three-fourths of the basic salary, pay, or compensation that he is receiving at the time of such separation from service.'

60 Stat. 812.
2 USC 72a note.

"(3) Paragraph (6) is amended to read as follows:

Refunds.

"'(6) In the case of a Member of Congress who becomes separated from the service before he completes an aggregate of 20 years of service as a Member of Congress, and who is not retired, the total amount deducted from his basic salary, pay, or compensation as a Member of Congress, together with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter compounded on December 31 of each year to date of separation shall, upon application therefor, be returned to such Member of Congress. No such Member of Congress shall thereafter become eligible to receive an annuity as provided in this section unless he again becomes a Member of Congress and redeposits the amounts so returned with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year and covering periods of service as a Member of Congress.'

"Basic salary, pay or compensation."

"(4) Paragraph (10) is amended by inserting before the period at the end thereof a semicolon and the following: 'and the term "basic salary, pay, or compensation" includes (A) amounts received, for periods beginning on or subsequent to the effective date of this clause, as expense allowance under section 601 (b) of the Legislative Reorganization Act of 1946, as amended, and (B) amounts received as such allowance for any period after January 2, 1953, and prior to such effective date, if the Member of Congress so elects and makes deposit therefor at the rate of $150 per annum together with interest thereon at 3 per centum per annum, compounded on December 31 of each year and covering periods of service as a Member of Congress; and the term "active service performed as a member of the armed forces of the United States" means (A) active service performed as a member of such forces, during any war or national emergency proclaimed by the President or declared by the Congress, by a Member of Congress who left or leaves his office for the purpose of performing

2 USC 31a.

Active service in armed forces.

such service and (B) any other periods of active service, not to exceed an aggregate of five years, performed as a member of such forces, but shall not include any such service for which credit is allowed for the purposes of retirement or retired pay under any other provision of law, including Title III of the Army and Air Force Vitalization and Retirement Equalization Act of 1948'.

62 Stat. 1087. 10 USC 1036-1036i.

"(d) (1) Notwithstanding the provisions of section 3 (a) of the Act of February 28, 1948—

62 Stat. 49. 5 USC 693-1 note.

"(A) subsections (b) and (c) of section 4, and the last sentence in section 9 of the Civil Service Retirement Act of May 29, 1930, as amended, shall apply to Members of Congress; and

5 USC 698, 736b.

"(B) subsections (c), (d), (e), (g), and (h) of section 12 of such Act shall apply in the case of Members of Congress dying on or after the date of enactment of this section. Such subsections shall apply to the widower of any such Member of Congress to the same extent and in the same manner as to the widow of any such Member of Congress, if such widower shall have been married to such Member for at least two years immediately preceding her death or is the father of issue by such marriage. Such subsection (c) shall also apply in the case of any Member of Congress who died on or after November 4, 1952, and prior to the date of enactment of this subsection, except that in such case no annuity shall be payable for any period prior to such date of enactment and no annuity shall be payable unless the amount of any lump sum death benefit heretofore paid under the Civil Service Retirement Act of May 29, 1930, as amended, is redeposited in the civil-service retirement and disability fund.

Widow or widower. 5 USC 724.

"(2) Section 12 (c) of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by striking out 'computed as provided in section 4 (a) hereof with respect to such officer or employee' in paragraphs (1) and (2) and inserting in lieu thereof 'computed as provided in section 4 (a), section 4 (g), or section 3A hereof, as the case may be, with respect to such officer or employee as if he had retired under the disability provisions of this Act'; and by striking out 'section 1, 2, or 6' in paragraphs (2) and (3) and inserting in lieu thereof 'section 1, 2, 3A, or 6'.

5 USC 724.

5 USC 698; *ante*, p. 22.

"(e) Section 13 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by inserting before the period at the end of the first sentence of the third paragraph thereof a comma and the following: 'except that the annuity of an elected officer of the Senate or House of Representatives and any annuity granted under the provisions of section 3A shall commence on the day following the day on which salary shall cease, provided the person entitled to such annuity meets the age and service requirements for annuity at that time'."

5 USC 691, 715, 693-1, 710-714. Commencement. 5 USC 718.

Ante, p. 22.

SEC. 2. Except as otherwise provided, the amendments made by this Act shall take effect on the first day of the month following the date of its enactment.

Effective date.

Approved March 6, 1954.

Public Law 304 CHAPTER 60

AN ACT

Making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes.

March 6, 1954 [H. R. 7996]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise

Second Supplemental Appropriation Act, 1954.