110TH CONGRESS
1ST SESSION

H. R. 3910

To amend title 5, United States Code, to allow any Federal employee who has performed sufficient service to entitle such employee to the maximum annuity percentage allowable under the Civil Service Retirement System to terminate retirement deductions from pay.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 18, 2007

Mr. VAN HOLLEN introduced the following bill; which was referred to the Committee on Oversight and Government Reform

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A BILL

To amend title 5, United States Code, to allow any Federal employee who has performed sufficient service to entitle such employee to the maximum annuity percentage allowable under the Civil Service Retirement System to terminate retirement deductions from pay.

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. ELECTION TO TERMINATE RETIREMENT DE-**
4 **DUCTIONS.**

5 (a) IN GENERAL.—Section 8334 of title 5, United
6 States Code, is amended by adding at the end the fol-
7 lowing:

1 ''(o)(1) The Office of Personnel Management shall
2 prescribe regulations under which an employee may, in ac-
3 cordance with succeeding provisions of this subsection,
4 elect to terminate retirement deductions from the basic
5 pay of such employee under subsection (a)(1)(A).

6 ''(2) An election under this subsection shall take ef-
7 fect as of the first day of the first month which begins
8 after the latest of—

9   ''(A) the date of the election;

10   ''(B) the date as of which the employee has per-
11   formed sufficient service (excluding service which the
12   employee elects to eliminate for the purpose of annu-
13   ity computation under section 8339) to entitle such
14   employee to the maximum annuity provided by sec-
15   tion 8339; or

16   ''(C) such date as the employee may specify at
17   the time of the election.

18 ''(3) In the case of an election which does not take
19 effect until after the first day of the first month following
20 the date described in subparagraph (B) of paragraph (2),
21 section 8342(h) shall apply, in accordance with its terms,
22 until the effective date of the election.

23 ''(4) An employee making an election under this sub-
24 section does not, by virtue of such election—

1   ''(A) cease to be subject to this subchapter for

2   purposes of section 8333(b);

3   ''(B) forfeit the right to have any subsequently

4   accruing sick leave taken into account for purposes

5   of section 8339(m);

6   ''(C) forfeit the right to have a subsequent rate

7   of basic pay taken into account for purposes of de-

8   termining average pay;

9   ''(D) cease to be eligible to continue contrib-

10   uting to the Thrift Savings Fund; or

11   ''(E) cease to be eligible to make (by a means

12   other than deductions under section 8342(h)) any

13   deposit remaining due under this section.''.

14   (b) EFFECT ON DEDUCTIONS AND CONTRIBU-

15 TIONS.—Section 8334(c) of title 5, United States Code,

16 is amended by adding at the end the following: ''Notwith-

17 standing any other provision of this subsection, in the case

18 of an employee who makes an election under subsection

19 (o), the applicable percentage under this subsection is,

20 with respect to basic pay for any period of service per-

21 formed on or after the effective date of such election,

22 zero.''

1   (c) EFFECTIVE DATE.—The election provided by this
2 Act shall be made available beginning not later than 90
3 days after the date of the enactment of this Act.

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