

Public Law 101-303
101st Congress

An Act

May 29, 1990
[H.R. 1805]

Retirement.
Insurance.

To amend title 5, United States Code, to allow Federal annuitants to make contributions for health benefits through direct payments rather than through annuity withholdings if the annuity is insufficient to cover the required withholdings, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. HEALTH BENEFITS.

(a) **AUTHORITY FOR DIRECT PAYMENTS.**—Section 8906 of title 5, United States Code, is amended by adding at the end the following:

“(i) An annuitant whose annuity is insufficient to cover the withholdings required for enrollment in a particular health benefits plan may enroll (or remain enrolled) in such plan, notwithstanding any other provision of this section, if the annuitant elects, under conditions prescribed by regulations of the Office, to pay currently into the Employees Health Benefits Fund, through the retirement system that administers the annuitant’s health benefits enrollment, an amount equal to the withholdings that would otherwise be required under this section.”.

(b) **TECHNICAL AND CONFORMING AMENDMENTS.**—Section 8906 of title 5, United States Code, is further amended—

(1) in subsection (c), by inserting “except as provided in subsection (i) of this section” before “the annuity”; and

(2) in subsection (d), by inserting “(except as provided in subsection (i) of this section)” before “from the annuity”.

5 USC 8906 note.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of enactment of this Act. Any annuitant whose enrollment was terminated at any time before such date on account of such annuitant’s annuity being insufficient to cover the amount of the required withholdings may, under regulations prescribed by the Office of Personnel Management, be prospectively reinstated in any available health benefits plan upon application of the annuitant.

SEC. 2. TECHNICAL CORRECTION IN LIFE INSURANCE PROVISIONS.

Section 8708 of title 5, United States Code, is amended by adding at the end the following:

“(d)(1) Except as otherwise provided in this subsection, for each period in which an employee continues life insurance after retirement or while in receipt of compensation under subchapter I of chapter 81 of this title because of disease or injury to the employee, as provided under section 8706(b) of this title, a sum equal to one-half of the amount which is withheld from the employee’s annuity or compensation under section 8707 of this title shall be contributed by the Office from annual appropriations which are authorized to be made for that purpose and which may be made available until expended.

“(2) Contributions under this subsection—

“(A) shall not be made other than with respect to individuals who retire, or commence receiving compensation, after December 31, 1989;

“(B) shall not be made with respect to any individual for months after the calendar month in which such individual becomes 65 years of age; and

“(C) shall, in the case of any individual who elects coverage under subparagraph (B) of section 8706(b)(3) of this title, be equal to the amount which would apply under this subsection if such individual had instead elected coverage under subparagraph (A) of such section.

“(3) The United States Postal Service shall pay the contributions required under this subsection with respect to any individual who—

“(A) first becomes an annuitant by reason of retirement from employment with the United States Postal Service after December 31, 1989; or

“(B) commences receiving compensation under subchapter I of chapter 81 of this title (because of disease or injury to the individual) after December 31, 1989, if the position last held by the individual before commencing to receive such compensation was within the United States Postal Service.”.

SEC. 3. REDUCTION IN AGE REQUIREMENT FOR WIDOWS AND WIDOWERS FOR RECEIVING CERTAIN COMPENSATION UNDER THE FEDERAL EMPLOYEES' COMPENSATION SYSTEM.

Chapter 81, of title 5, United States Code, is amended—

(1) in section 8133(b)(1) by striking out “age 60” and inserting in lieu thereof “age 55”; and

(2) in section 8135(b) by striking out “age 60” and inserting in lieu thereof “age 55”.

Approved May 29, 1990.

LEGISLATIVE HISTORY—H.R. 1805:

HOUSE REPORTS: No. 101-327 (Comm. on Post Office and Civil Service).
CONGRESSIONAL RECORD:

Vol. 135 (1989): Nov. 6, considered and passed House.

Vol. 136 (1990): Apr. 26, considered and passed Senate, amended.

May 8, House concurred in certain Senate amendments, disagreed to another, and concurred in another with an amendment.

May 14, Senate receded and concurred in House amendment.