

"(3) with respect to their Federal status, promote or discharge persons enlisted or reenlisted as Reserves of the Army or Reserves of the Air Force for that service."

(B) By adding the following new item at the end of the analysis:

"8080. Air National Guard of the United States: authority of officers with respect to Federal status."

Approved July 7, 1960.

Public Law 86-604

AN ACT

July 7, 1960
[H. R. 8241]

To amend certain provisions of the Civil Service Retirement Act relating to the reemployment of former Members of Congress.

Civil Service
Retirement Act,
amendments.
70 Stat. 744.
5 USC 2251.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (1) of section 1 of the Civil Service Retirement Act is amended by striking out the words "in the case of an employee separated or transferred to a position not within the purview of this Act before he has completed five years of civilian service or a Member separated before he has completed five years of Member service" and inserting in lieu thereof "in the case of an employee or Member separated or transferred to a position not within the purview of this Act before he has completed five years of civilian service".

5 USC 2256(f).

(b) Subsection (f) of section 6 of such Act is amended by striking out the words "Member service" where they first appear in such subsection and inserting in lieu thereof the words "civilian service".

5 USC 2258(b).

(c) Subsection (b) of section 8 of such Act is amended by striking out the words "Member service" in the first sentence and inserting in lieu thereof the words "civilian service".

5 USC 2259(b).

(d) (1) So much of subsection (b) of section 9 of such Act as precedes the first proviso is amended to read as follows:

"(b) The annuity of a congressional employee retiring under this Act shall be computed as provided in subsection (a), except that with respect to so much of his service as a congressional employee and his military service as does not exceed a total of fifteen years, and with respect to any Member service, the annuity shall be computed by multiplying $2\frac{1}{2}$ per centum of the average salary by the years of such service."

(2) Clause (1) of the second sentence of such subsection is amended by inserting after the words "congressional employee" the words "or Member, or any combination of such service".

(e) The first sentence of section 9(c) is amended to read as follows:

"(c) The annuity of a Member, or of a former Member with title to Member annuity, retiring under this Act shall be computed as provided in subsection (a), except that if he has had at least five years' service as a Member or a congressional employee, or any combination of such service the annuity shall be computed, with respect to (1) his service as a Member and so much of his military service as is creditable for the purposes of this clause, and (2) so much of his congressional employee service as does not exceed fifteen years, by multiplying $2\frac{1}{2}$ per centum of the average salary by the years of such service."

5 USC 2263.

(f) Section 13(c) of the Civil Service Retirement Act is amended to read as follows:

"(c) If a Member heretofore or hereafter retired under this Act hereafter becomes employed in an appointive or elective position, annuity payments shall be discontinued during such employment and resumed in the same amount upon termination of such employment, except that—

"(1) any such retired Member or any Member heretofore or hereafter separated with title to an immediate or deferred annuity who serves or has served, at any time after separation as a Member, in an appointive position in which he is or was subject to this Act shall, if he so elects, have his Member annuity computed or recomputed as if such service had been performed prior to his separation as a Member and such annuity as so computed or recomputed shall be effective (A) the day Member annuity commences, (B) the first day of the month following the date of separation from the appointive position, or (C) the first day of the first month following the date of enactment of this Act, whichever day is the latest;

"(2) if such retired Member shall have become employed after December 31, 1958, in an appointive position on an intermittent-service basis, (A) his annuity shall continue during such employment and shall not be increased as a result of service performed during such employment, (B) no retirement deductions shall be withheld from his salary, (C) there shall be deducted from his salary, except for lump-sum payment purposes under the Act of December 21, 1944, a sum equal to the annuity allocable to the period of actual employment, and (D) the amounts so deducted shall be deposited in the Treasury of the United States to the credit of the fund;

58 Stat. 845.
5 USC 61b and
notes.

"(3) if such retired Member shall have become employed after December 31, 1958, in an appointive position without compensation on a full-time, or a substantially full-time, basis, his annuity shall continue during such employment and shall not be increased as a result of service performed during such employment; and

"(4) if such retired Member takes office as Member and gives notice as provided in section 2(c), his service as Member during such period shall be credited in determining his right to and the amount of his subsequent annuity.

5 USC 2252(c).

This subsection shall not apply to a Member appointed by the President of the United States to a position not requiring confirmation by the Senate."

SEC. 2. Section 403 of the Civil Service Retirement Act Amendments of 1956 (70 Stat. 760; 5 U.S.C. 2251 note) is amended by adding at the end thereof the following sentence: "In the case of any Member separated from service before October 1, 1956, with title to a deferred annuity, the deferred annuity may begin at the age of sixty years if the Member had completed at least ten years of Member service, but no annuity shall be paid under this sentence for any period prior to the first day of the first month which begins after enactment thereof."

Civil Service
Retirement Act
Amendments of
1956.

SEC. 3. (a) Section 2(2) of the Act of June 25, 1958 (Public Law 85-465; 72 Stat. 219), is amended to read as follows:

5 USC 2259 note.

"(2) who (A) died before February 29, 1948, or (B), if retired under the Alaska Railroad Retirement Act of June 29, 1936, as amended, or under sections 91 to 107, inclusive, of title 2 of the Canal Zone Code, approved June 19, 1934, as amended, died before April 1, 1948; and"

49 Stat. 2017.

(b) Section 4 of such Act of June 25, 1958, shall apply to annuities authorized by this section.

72 Stat. 219.

(c) An annuity provided by this section shall commence August 1, 1958, or on the first day of the month in which application therefor is received in the Civil Service Commission, whichever occurs later.

Effective date.

SEC. 4. Notwithstanding any other provision of law, benefits payable by reason of the amendments made by this Act shall be paid from the civil service retirement and disability fund.

Payments.

Approved July 7, 1960.