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Subchapter 20A CSRS

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Subchapter 20A CSRS**Part 20A1 General Information****Subpart 20A1.1 Overview and Concept of Creditable Service****Section 20A1.1-1 Overview**

A. Introduction

Generally speaking, all Federal and District of Columbia service is creditable under the Civil Service Retirement System (CSRS). Creditable service includes service where an employee is not in a "covered" position, that is, when not subject to retirement deductions, such as service under a temporary appointment. (See Chapter 10, Coverage, and 12, Special Coverage Rules, to determine whether an employee is "covered.") Chapter 12 addresses special coverage rules that apply to specific groups of employees under CSRS and FERS. Chapter 22, Creditable Military Service, contains a discussion of creditable military service. Rules regarding service credit payments for civilian service are covered in Chapter 21, Service Credit Payments for Civilian Service; rules regarding service credit payments for military service are covered in Chapter 23, Service Credit Payments for Post-1956 Military Service.

If you have a question about service that is not covered in this Chapter, or one of the other chapters referenced above, direct your questions through your agency employing office to the headquarters Retirement Counselor who may, as necessary, contact OPM.

B. Topics Covered

This subchapter covers:

- The concept of creditable service;
 - The different types of service that are creditable for retirement purposes;
 - Service credit for unused sick leave; and
 - The amount of creditable service.
-

Section 20A1.1-1 Overview (Cont.)**C. Organization of
Subchapter**

The CSRS subchapter has three parts.

Part	Name of Part	Page
20A1	General Information	1
20A2	Types of Creditable Civilian Service	7
20A3	Amount of Creditable Civilian Service	46

NOTE: Subchapter 20B about creditable service under FERS begins on page 52.

**D. Statement of
Authority**

This subchapter and its contents are based on the laws and regulations cited below.

- United States Code: 5 U.S.C. 2105, 8331(1) and 8332
 - Code of Federal Regulations: 5 CFR 831.302-307
 - Various specific laws and regulations are referenced in the sections where they apply.
-

Section 20A1.1-2 Concept of Creditable Service

A. Introduction

The concept of creditable service is basic to many determinations involving civil service retirement benefits. While the specific rules may vary for allowing credit in certain circumstances, generally, creditable service is service that can be counted toward the specified period of service required to qualify for the applicable benefit computation, or to establish the individual's coverage or entitlement to benefits.

1. Creditable service usually includes all "covered service," that is, service in which the individual's pay is subject to CSRS retirement deductions, such as service under a career or career conditional appointment.
2. Creditable service is not limited to that in positions covered by retirement deductions, however. It may also include service where an employee's pay is not subject to retirement deductions (nondeduction service), such as, service under a temporary appointment. If the service meets the tests outlined in section 20A1.1-2C below, it is generally creditable regardless of the type of appointment.

NOTE: Generally, after an employee's pay becomes subject to CSRS retirement deductions, civilian service performed before CSRS retirement deductions began becomes creditable even though no retirement deductions were taken from the employee's pay at the time the service was performed.

3. Creditable service also includes service that does not meet the tests of Federal service outlined in section 20A1.1-2C, but for which a specific statute --
 - allows credit for the service, such as the credit allowed for military service, for enrollment in the Peace Corps or for certain pre-1969 National Guard technician service, or
 - allows an individual to be subject to CSRS deductions during his or her employment with a specified entity or under a specific program or type of appointment, such as employees of Gallaudet University or D.C. Government, Federal employees who receive assignments under the Intergovernmental Personnel Act, or employees serving as full-time officers or employees of an employee organization.

Section 20A1.1-2 Concept of Creditable Service (Cont.)**A. Introduction (Cont.)**

4. Creditable service may also include service that meets the tests outlined in section 20A1.1-2C; however, the individual was covered by another retirement system for Federal employees, such as employees of the Tennessee Valley Authority.
-

B. Scope of Creditable Service

Creditable service includes:

1. Service as an employee as defined in 5 U.S.C. 8331(1) and miscellaneous statutes (see Chapter 10 and Chapter 12);
 2. Federal civilian service performed by an individual defined as a "Federal employee" under 5 U.S.C. 2105(a) (see paragraph C below) unless not creditable under a specific provision of law;
 3. Any service listed in 5 U.S.C. 8332 (see 20A2.1-1);
 4. Military service, with certain qualifications and exceptions (see Chapter 22); and
 5. Any other service made creditable by statute (see 20A2.2).
-

C. Provisions of 5 U.S.C. 2105(a)

Service of an employee as defined by 5 U.S.C. 2105(a) is creditable Federal civilian service. Specifically, that provision states that individuals are Federal employees when they meet all three of the following conditions:

1. Appointed in the civil service by a Federal official with authority to make the appointment. The appointing official must be one of the following acting in an official capacity:
 - The President;
 - A Member, or Members of Congress, or the Congress;
 - A member of a uniformed service;
 - An individual who is an employee as defined in 5 U.S.C. 2105(a);
 - The head of a government controlled corporation as defined in 5 U.S.C. 103; or
 - An adjutant general designated by the Secretary concerned under 32 U.S.C. 709(c), (National Guard and Air National Guard).

Section 20A1.1-2 Concept of Creditable Service (Cont.)**C. Provisions of 5 U.S.C. 2105(a) (Cont.)**

2. Engaged in performing a Federal function or duty under authority of an act of Congress or an Executive Order; and
3. Supervised by an official listed in paragraph C1 above while engaged in the performance of duties of his or her position.

NOTE 1: Individuals who meet the "Federal function" and "supervision" tests are not Federal employees until formally appointed in the civil service. That is, they must have been given a completed Standard Form 50, Notification of Personnel Action, or other acceptable equivalent personnel action document used for appointing an individual into Federal employment.

NOTE 2: If the service of an individual does not meet all the provisions of 5 U.S.C. 2105(a), OPM does not have the authority to credit the individual's service unless a specific statutory provision expressly makes the service creditable. A decision that a particular type of service is creditable does not mean that all similar types of service are also creditable. (See **Baker v. United States**, 614 F.2d 263 (Ct. Cl. 1980).)

D. Effect of Type of Appointment

The type of appointment -- whether temporary, indefinite, permanent, competitive, or excepted -- does not determine creditability.

E. Amount of Service To Be Credited

In general, employees are given a day's credit for each day from the date of an appointment through the date of separation. However, there are special rules for crediting service performed under an appointment designated as intermittent or for periods of nonpay status in excess of 6 months in a calendar year. See section 20A3.1-1 below for other instances where special rules apply.

NOTE: When you cannot determine how much time to allow for a particular type of service not otherwise discussed in this subchapter, contact your agency headquarters Retirement Counselor. If necessary, the agency headquarters Retirement Counselor may write to OPM for a determination. The request should include all of the specifics about the service and copies of any relevant documents (such as SF 50's) should be attached.

Section 20A1.1-2 Concept of Creditable Service (Cont.)**F. Pay**

Generally, individuals must receive pay for their service to get retirement credit for that service. However, the service of an individual appointed without pay or with nominal pay (such as \$12.00 per year) is creditable if the individual is required to perform full-time or substantially full-time service.

By itself, the source of funds from which paid -- appropriated, nonappropriated, Federal, or State -- is not always a determining factor.

G. Verifying Creditable Service

Appendix A provides information and procedures about verifying civilian service. Additional information is in The Guide to Processing Personnel Actions (formerly FPM Supplement 296-33).

Appendix B provides a table listing types of service and summarized rulings on crediting service for agencies and organizations.

Part 20A2 Types of Creditable Civilian Service
Subpart 20A2.1 Service Under 5 U.S.C. 8332**Section 20A2.1-1 Service Under 5 U.S.C. 8332**

A. General

Section 8332 of title 5 of the United States Code enumerates types of service that are creditable for retirement purposes, in addition to regular covered service.

Most of the service listed in the CSRS law section 8332 is straightforward and needs no elaboration. These types of service are listed in paragraph B below.

However, certain periods of creditable service, due to their complicated nature, require a more detailed explanation. These periods are covered in sections that follow, beginning with section 20A2.1-2.

B. Service Listed in 5 U.S.C. 8332

Creditable service under 5 U.S.C. 8332 includes:

- Employment as a substitute in the postal field service;
- Service in the Pan American Sanitary Bureau;
- Service performed before July 10, 1960, as an employee of a county committee established under 16 U.S.C. 590h(b) or of a committee or an association of producers described by 7 U.S.C. 610(b) if certified by the Secretary of Agriculture (See paragraph I.1 in Appendix A for documentation information);
- Service as a student-employee as defined by 5 U.S.C. 5351 only if the student-employee later becomes subject to CSRS deductions;
- Service performed after February 18, 1929, and before noon on January 3, 1971, as a United States Capitol Guide;
- Service as a substitute teacher for the government of the District of Columbia after July 1, 1955, if such service is not credited for benefits under any other retirement system established by a law of the United States (See paragraph I.2 in Appendix A for documentation information);
- Periods of imprisonment of a foreign national for which compensation is provided under section 410 of the Foreign Service Act of 1980 if the

Section 20A2.1-1 Service Under 5 U.S.C. 8332 (Cont.)**B. Service Listed in
5 U.S.C. 8332
(Cont.)**

- individual was subject to CSRS during employment with the government last preceding imprisonment or is qualified for a CSRS annuity on the basis of other service of the individual (See paragraph I.3 in Appendix A for documentation information.);
- Service as a justice or judge of the United States as defined by 28 U.S.C. 451, and service as a judge of a court created by Act of Congress in a territory that is invested with any jurisdiction of a district court of the United States; however, no credit is allowed for such service if the employee is entitled to a salary or an annuity under 28 U.S.C. 371, 372, or 373 (See paragraph I.4 in Appendix A for information on verification.);
 - Service performed on or after December 6, 1967, and before January 3, 1978, as an employee of the House Beauty Shop, only if he or she served as an employee of the House Beauty Shop for a period of at least 5 years after January 3, 1978, and if certified by the House of Representatives (See paragraph I.5 in Appendix A for verification information.);
 - One year of service to be credited for each year in which a Native of the Pribilof Islands performs service in the taking and curing of fur seal skins and other activities in connection with the administration of the Pribilof Islands, notwithstanding any period of separation from the service, and regardless of whether the Native who performs the service retires before, on, or after January 1, 1987 (See paragraph I.7 in Appendix A for verification information.); and
 - Service performed on or after January 3, 1969, and before January 4, 1973, as the Washington Representative for Guam or the Washington Representative for the Virgin Islands, only if the individual serves as a Member for a period of at least 5 years after January 2, 1973 (See paragraph I.5 in Appendix A for verification information.).
-

Section 20A2.1-2 Service as a Peace Corps or VISTA Volunteer

A. General Rule

When a Peace Corps or VISTA volunteer (5 U.S.C. 8332(b)(5) and (7)) becomes employed in a Federal civilian position after performing full-time service as a volunteer or volunteer leader with the Peace Corps or VISTA, his or her satisfactory volunteer service with these organizations (excluding training time) generally is creditable for CSRS under the same conditions that apply to a period or periods of nondeduction service.

NOTE: Service credit is not allowed for training periods prior to actual enrollment.

B. Deposit Required

1. If the Peace Corps or VISTA service was performed before October 1, 1982, the employee receives credit for the service for both eligibility and annuity computation purposes. The deposit for such service is optional. However, if the deposit is not paid, the individual's annuity will be reduced by 10 percent of the amount of deposit due.
2. If the Peace Corps or VISTA service was performed on or after October 1, 1982, the employee **must** pay the deposit to receive credit for this service in the computation of an annuity.

NOTE: See Chapter 21, Service Credit Payments for Civilian Service, for detailed information on Peace Corps or VISTA volunteer service credit payments.

C. Effect of Social Security Eligibility

If the employee, surviving spouse, or child is entitled (or would upon proper application be entitled) to Social Security old age (not disability) or survivor benefits, he or she will have to pay a deposit for the Peace Corps or VISTA service to be creditable for retirement.

If credit for Peace Corps or VISTA service is given and the employee, surviving spouse, or child becomes entitled to Social Security benefits, OPM recomputes the annuity to exclude the Peace Corps or VISTA service, if the deposit is not paid. The reduction in annuity is effective the first of the month in which eligibility for Social Security benefits was attained.

Section 20A2.1-2 Service as a Peace Corps or VISTA Volunteer (Cont.)**C. Effect of Social Security Eligibility (cont.)**

Prior to the passage of Public Law 103-82, the National and Community Service Trust Act of 1993 and Domestic Volunteer Service Act Amendments of 1993, the recomputation was required even if the employee made a deposit for the service prior to retirement. However, under section 371 of Public Law 103-82, the treatment of volunteer service is modified so that it is similar to that of military service. Thus, a deposit for Peace Corps or VISTA service now ensures its continued creditability after the annuitant becomes eligible for Social Security benefits.

EXAMPLE: John made a deposit for 2 years of service as a Peace Corps volunteer from 1964 to 1966. When he retired at age 59, he received credit for this service. On June 15, 1996, he became age 62 and eligible for Social Security benefits. Because the deposit was paid, he continues to receive credit for the 2 years of Peace Corps volunteer service.

If the deposit had not been paid, John's annuity would have been recomputed to exclude credit for the 2 years of Peace Corps volunteer service effective June 1, 1996.

D. Requests for Certification of Peace Corps or VISTA Service

The procedures for verifying service with the Peace Corps and service with VISTA, and the addresses for submitting verification requests are included in paragraph I.8 of Appendix A.

Section 20A2.1-3 Service Credit for Employment With Certain Overseas Broadcasting Organizations

- A. General** Public Law 96-465, the Foreign Service Act of 1980 (approved October 17, 1980) allows service credit for employment after July 1, 1946, with certain overseas broadcasting organizations.
- B. Organizations for Which Service May Be Credited** Only the groups listed below meet the criteria established by the law for service to be creditable:
- National Committee for a Free Europe
 - Free Europe Committee, Inc.
 - Free Europe, Inc.
 - Radio Liberation Committee
 - Radio Liberty Committee
 - Subdivisions of any of the above organizations
 - Radio Free Europe/Radio Liberty, Inc.
 - Radio Free Asia
 - Asia Foundation
 - Armed Forces Network, Europe (AFN-E)
-
- C. Credit for Broadcast Service** Each of the following conditions must be met to receive credit for service with the organizations specified in paragraph B.
1. The service must equal or exceed 130 days (or its equivalent) per calendar year.
 2. The service must **not** be credited toward benefits under a retirement system established for the broadcast entity **and** funded in whole or in part by the Federal Government. OPM has already determined that the retirement plans established for these entities were funded in whole or in part by the Federal Government. Therefore, if there was a plan in existence during the period of service for which credit is sought, there must be proof that:
 - The individual never elected to join the plan if he or she had that option;

Section 20A2.1-3 Service Credit for Employment With Certain Overseas Broadcasting Organizations (Cont.)

- C. Credit for Broadcast Service (Cont.)**
- The number of years of service were insufficient to obtain title to a benefit under the plan; or
 - The plan permits an individual to waive his or her coverage. (Proof of the request for waiver and its acceptance by the broadcast entity must be submitted to OPM.)
3. Since service with a broadcast entity is creditable but not covered, that is, not subject to CSRS retirement deductions, the individual must have employment in a position where he or she is covered by CSRS **after** the law was enacted on February 15, 1981, **and** after the period of employment with the broadcast entity for which credit is to be given.
- D. Requests for Certification of Broadcast Service**
- The procedure for verifying service with a broadcast organization and the addresses for submitting verification requests are included in paragraph I.9 of Appendix A.
- Upon retirement, the employing agency submits a copy of the certification with the individual's retirement record if he or she elects to receive credit for the service.
-
- E. Deposit Optional**
- Employees who want to receive credit for service performed with any of the entities listed in paragraph B may make a deposit for such service in accordance with the rules for nondeduction (deposit) service performed pre- and post-October 1, 1982, covered in Chapter 21.
-

Section 20A2.1-4 National Guard Technicians

A. General

Before January 1, 1969, National Guard technicians were generally considered State employees. However, after enactment of Public Law 90-486 on August 13, 1968, (now codified in 5 U.S.C. 8332(b)(6)) individuals employed as National Guard technicians after December 31, 1968, were considered civilian employees of the U.S. Army or Air Force. Therefore, service as a National Guard technician performed after 1968 is generally creditable for retirement eligibility, average pay, and computation purposes. Service as a National Guard technician performed before January 1, 1969, may be creditable under several different statutes that have been passed in the years since 1968. (See Chapter 12 for a discussion of the special coverage rules that apply to National Guard technician service after 1968.)

Paragraphs B and C contain the current rules for crediting pre-1969 National Guard technician service. Paragraph B gives the rules for crediting pre-1969 service of employees who also performed covered service as a National Guard technician after December 31, 1968. Paragraph C gives the rules for crediting service of employees who only performed service as a National Guard technician before January 1, 1969, or who elected to remain under the State retirement system in 1969. Paragraph D contains historical information on credit for pre-1969 technician service under Public Law 99-661 -- in effect from November 14, 1986, through January 14, 1988. This information is included for the convenience of the reader, since some individuals may still be making installment deposit payments under this provision.

B. Pre-1969 Service Under Public Laws 90-486 and 94-126: Technicians Under CSRS After December 31, 1968

1. Public Law 90-486 authorized those individuals who were employed as National Guard technicians in a position under CSRS after December 31, 1968, to receive credit for 55 percent of each year or fractional year of technician service performed until December 31, 1968, for retirement computation purposes. (Pre-1969 service was credited in full for retirement eligibility and average salary purposes.)
2. Public Law 94-126 (enacted November 12, 1975) retroactively eliminated, for any individual serving as a technician on or after January 1, 1969, the provision of Public Law 90-486 crediting only 55 percent of technician service performed before 1969 for computation purposes.
3. The amendments made by Public Law 94-126 apply to all technicians retiring on or after November 13, 1975, and to technicians who separated between January 1, 1969, and November 12, 1975, with title to a deferred annuity commencing after November 12, 1975.

Section 20A2.1-4 National Guard Technicians (Cont.)

- B. Pre-1969 Service Under Public Laws 90-486 and 94-126: Technicians Under CSRS After December 31, 1968 (Cont.)**
- Technicians who retired from January 1, 1969, through November 12, 1975, can have their annuity recomputed only if they request a recomputation by OPM in writing.
4. These individuals do not have to make a deposit for pre-January 1, 1969, service as a National Guard technician for the service to be creditable. The service is treated like any other period of nondeduction service. (In this case, the provisions of Chapter 21 apply. See section 21A2.1-3, paragraph B.)

NOTE: Public Law 94-126 also provided that an individual's civil service annuity must be reduced by the portion of any State retirement annuity attributable to National Guard technician service performed prior to January 1, 1969, to which the individual is entitled (or on proper application would be entitled).

- C. Pre-1969 Service Under Public Law 101-530**
- Public Law 101-530 (enacted November 6, 1990) allows Federal employees under CSRS (or FERS) after November 5, 1990, credit for pre-1969 National Guard technician service even though they did not perform National Guard technician service after 1968 or elected to remain under the State retirement system after 1968. However, they must file an application for service credit (Standard Form 2803 or 3108) and pay a deposit to OPM for the service before final adjudication of the employee's annuity, unless they are eligible for and elect the alternative annuity. (See Chapter 53, Alternative Annuity Elections, for additional information about the alternative annuity election. See paragraph I.10 in Appendix A for information on verification.)

- D. Pre-1969 Service Under Public Law 99-661**
- Public Law 99-661 (effective November 14, 1986) allowed credit under CSRS for pre-January 1, 1969, service as a National Guard technician for individuals who did not qualify for credit under Public Law 90-486 (paragraph B above). This includes individuals who were not National Guard technicians after January 1, 1969, and individuals who elected to remain under a State retirement plan.

Under Public Law 99-661, an individual who performed service as a National Guard technician prior to January 1, 1969, was entitled to credit for the pre-1969 service under CSRS if he or she:

1. Applied to OPM for service credit no later than January 14, 1988;

Section 20A2.1-4 National Guard Technicians (Cont.)

- D. Pre-1969 Service Under Public Law 99-661 (Cont.)**
2. Was employed (but not as a reemployed annuitant) by the Federal Government in a position subject to CSRS at the time the application was filed; and
 3. Made a deposit for the service to his or her employing agency before separating for retirement. Pre-1969 service credited under Public Law 99-661 could not be deemed deposited under the alternative annuity provisions.

NOTE: Although the requirements for crediting pre-1968 National Guard technician service have been superseded by Public Law 101-530, agencies were instructed to continue processing service credit payments as instructed in the regulations implementing Public Law 99-661, if the individual had applied for service credit and began making installment payments while it was in effect.

Section 20A2.1-5 Credit for Service With a Nonappropriated Fund (NAF) Instrumentality

A. General

As a general rule, service in a position where salary was paid from nonappropriated funds is not creditable. However, there are several specific statutory provisions allowing credit for such service under certain circumstances.

Public Law 99-638 (effective November 10, 1986) allows credit under CSRS for certain service with a nonappropriated fund instrumentality (NAF) performed after June 18, 1952, and before January 1, 1966, if the conditions in paragraph B (below) are met.

NOTE: See Chapter 12 for information about the creditability of NAF service under Public Law 101-508, the "NAF Portability Act," that covers persons who transfer from NAF to civil service positions on and after January 1, 1987. Certain NAF employees may elect to remain covered under CSRS (or FERS) when all the requirements have been met.

NOTE: Public Law 104-106, the National Defense Authorization Act for Fiscal Year 1996, approved February 10, 1996, expands the portability rules and allows additional retirement credit opportunities under certain conditions for employees who moved between NAF and civil service positions after December 31, 1965. However, the law contains no provision which would allow an employee covered by CSRS to elect to retroactively return to NAF retirement plan coverage or to obtain credit for previous NAF service under CSRS.

B. Rule

An individual employed by a NAF instrumentality after June 18, 1952, but before January 1, 1966, in a position where he or she:

1. Conducted arts and crafts, drama, music, library, service club, youth activities, sports, or recreation programs (including any outdoor recreation program) for personnel of the armed forces, or
2. Managed or supervised all details directly relating to the programs enumerated or to the individuals who actually conducted such programs,

Section 20A2.1-5 Credit for Service With a Nonappropriated Fund (NAF) Instrumentality (Cont.)**B. Rule**

is entitled to credit for such service provided he or she --

- Was employed subsequent to the period of NAF service in a position where CSRS retirement deductions were taken after November 8, 1986; and
 - Is not receiving (and is not entitled to receive) any retirement benefit based on the same period of service from a NAF retirement plan.
-

C. Deposit Not Required

An employee who has NAF service that qualifies under the conditions outlined in paragraph B is not required to make a deposit to receive credit for such service. (See paragraph I.11 for information on verification.) However, if a deposit is not made, the employee's annuity is reduced by an amount equal to 10 percent of the balance of the deposit due (including interest) and unpaid at the time of retirement. (See Chapter 21, section 21A2.1-3, paragraph B, for further details.)

Section 20A2.1-6 Employee Organizations

- A. When Service Is Creditable** Under 5 U.S.C. 8332(k)(1), the service of an employee who enters on approved leave without pay to serve as a full-time officer or employee of an employee organization is fully creditable if the employee elects, within 60 days after entering on LWOP, to continue coverage and pays the employee deduction **and** agency contribution to the retirement fund. See Chapter 12 for a full discussion of coverage while serving with an employee organization.
-
- B. When Service Is Not Creditable** The service of an employee on approved leave without pay (LWOP) who serves as a full-time officer or employee of an employee organization is **not creditable** for any retirement purpose if the employee does not elect to continue coverage or does not pay the deductions and contributions as described. By law, such an employee is **not** entitled to receive credit for any LWOP, including the 6 months of leave in a calendar year normally provided under 5 U.S.C. 8332(f).
-

Section 20A2.1-7 Japanese-American Employee Credit

- A. General** Special retirement credit has been granted by 5 U.S.C. 8332(l) to certain employees of Japanese or Aleut ancestry who were interned during the war.
- B. Public Law 86-782: Rule** Japanese-American Internment --
1. Effective September 14, 1960, Public Law 86-782 allowed credit (as civilian service), without deposit, to certain employees of Japanese ancestry. These employees must have been serving on July 15, 1952, in the postal field service or in the classified civil service in positions subject to 5 U.S.C. chapter 51. At some time during the period from December 7, 1941, to September 3, 1945, because of a program or policy of the United States or for purposes of entering the Armed Forces, an employee must have:
 - Been separated from service; or
 - Lost opportunity for or been denied probational appointment from a civil service register; or
 - Been denied reinstatement to a position as described.
 2. An employee meeting the requirements described in paragraph B may receive credit for:
 - Any period of internment;
 - Any period for which loss of opportunity for or denial of appointment occurred;
 - Any period resulting from denial of reinstatement; or
 - Any period resulting from separation from service.
-
- C. Public Law 95-382: Rule**
1. Effective October 1, 1978, Public Law 95-382 (now 5 U.S.C. 8332(1)) allows credit (as civilian service), without deposit, for periods of confinement in internment camps during World War II to certain citizens of Aleut ancestry and to certain Japanese-American employees who were citizens of the United States or aliens lawfully admitted to the United States. The confinement must have been ordered under a policy or program of the United States established during World War II

Section 20A2.1-7 Japanese-American Employee Credit (Cont.)**C. Public Law
95-382: Rule
(Cont.)**

in the interest of national security. No special criteria, such as those outlined in paragraph B above, need be met in order to receive retirement credit under Public Law 95-382.

2. Retirement credit is allowed under Public Law 95-382 (for eligibility and computation purposes) only for that portion of the period of internment or detention occurring after the employee or Member attained 18 years of age. For purposes of obtaining credit, "World War II" means the period beginning December 7, 1941, and ending December 31, 1946.
-

**D. Prohibition
Against Dual
Credit**

1. Section 142 of Public Law 92-603, the Social Security Amendments of 1972, allows qualified Japanese-Americans Social Security credit for periods of internment between December 7, 1941, and December 31, 1946. However, Japanese-American internees may not receive credit toward Social Security benefits for a period of internment if a benefit based in whole or in part on the period of service is payable from the Civil Service Retirement System.
2. Records forwarded by an agency and requests from individuals to OPM must contain a statement from the individual indicating whether or not he or she is receiving or has ever applied for Social Security benefits. (See paragraph I.12 in Appendix A for instructions on obtaining verification of this service.)
3. OPM notifies the Social Security Administration when it allows credit for CSRS retirement purposes for a period of internment if the annuitant is age 62 or over, or is within 5 months of reaching age 62.

EXCEPTION: A period of internment may be credited for Social Security purposes if the period is not necessary for title to the annuity and does not increase the amount of the award. This could occur in certain disability and death-in-service cases in which the 40 percent guaranteed minimum applies. See Chapters 60 and 70.

Section 20A2.1-8 Campaign and Congressional Committees

A. General

Effective December 12, 1980, Public Law 96-523 (now 5 U.S.C. 8332(m)) allows credit for employment with the:

- Democratic Senatorial Campaign Committee;
- Republican Senatorial Campaign Committee;
- Democratic National Congressional Committee; and the
- Republican National Congressional Committee.

(See paragraph I.6 in Appendix A for addresses where service can be verified.)

B. Rule

Such service is credited as congressional employment and is allowed only to individuals who:

- Were Federal employees on December 12, 1980, the date of enactment;
- Have 5 years of creditable civilian service in addition to the campaign committee service;
- Had at least 5 years of campaign committee service as of the date of enactment; and
- Make a deposit to the retirement fund in an amount equal to the salary deductions that would have been withheld (at the rate for congressional service) had the service been covered by CSRS.

The President of the Senate (or designee) or the Speaker of the House (or designee) will provide certification of the length of service and rates of compensation. (See paragraph I.6 in Appendix A for documentation information.)

Section 20A2.2-1 Contract Service - General

- A. General Rule** Contract service with a Federal agency is creditable for retirement purposes only if the employing agency exercised an explicit statutory authority to appoint by contract.
-
- B. Simultaneous Appointment** Where the employee has received an appointment (as documented by an official appointment document), the existence of a contract between the agency and the employee defining the conditions of employment does not invalidate the appointment status.
- EXAMPLE: Contract teacher service with the Army Dependents' Schools is creditable for retirement purposes so long as there is also a Standard Form 50, or equivalent, appointing the teacher to a position in the civil service.
-
- C. Certification by Agency Head**
1. Section 110 of Public Law 100-238 provided that the head of a Federal agency could, for a statutorily defined group of individuals, certify certain personal service contract service performed before November 5, 1985, as creditable for retirement purposes.
 2. All certifications are reported to OPM. An employee whose personal service contract service was affirmatively certified by an agency head will be billed for the deposit due on that service. The deposit must be paid or deemed deposited under the AFA before the service may be credited for retirement purposes.
 3. The deadline for applications was January 8, 1990. The following section describes the rules for obtaining credit under section 110 in more detail.
- NOTE: At present, no employee, former employee, or annuitant has a right to initiate an application under Section 110.
-

Section 20A2.2-2 Section 110 Contract Service

A. Eligibility

Section 110 of Public Law 100-238 permitted certain individuals to apply before January 9, 1990, to receive credit under CSRS for service that was performed under a personal service contract with the United States.

NOTE: At present, no employee, former employee, or annuitant has a right to initiate an application under Section 110.

Individuals who were CSRS employees on January 8, 1988, were eligible to apply to receive credit for contract service.

B. Excluded Service

Credit under section 110 was not allowed for:

- Service performed under USAID or Peace Corps contracts;
 - Contracts wherein services could have been terminated by a person other than the employee or the Government (that is, employment as a contractor's employee or as a subcontractor);
 - Contracts for a single transaction or where services were paid for in a single payment; or
 - Any contract service performed after November 4, 1985.
-

C. Agency Certification of Service

Upon receipt of a section 110 application showing that the applicant was eligible to apply, the head of the agency with which contract service was claimed determined if any of the claimed service was performed for the agency, and if so, determined:

- The length and pay (in U.S. dollars) of the contract service performed; and
- Whether the agency had intended that the employee be considered subject to CSRS coverage through the contract(s).

The head of the contracting agency provided an affirmative or a negative certification of the contracting agency's finding on the claimed service to OPM and a copy to the applicant. The authority to make the certification could not be delegated to a lesser agency official. If the contracting agency no longer existed or if the claimed service was on the staff of a President whose term of office has ended, OPM's Associate Director for Retirement and Insurance Service made the certification.

By law, an agency head's finding on the contract service is final and conclusive and not subject to administrative or judicial review.

Section 20A2.2-2 Section 110 Contract Service (Cont.)

- D. Deposit Required** Credit is allowed for contract service only if a deposit is paid in full or deemed paid for individuals who are eligible and elect an alternative annuity at retirement. (See Chapter 53 for additional information about the alternative annuity election.)

After receiving a certification of creditable contract service, OPM notified the applicant of the deposit amount.

Chapter 20

Section 20A2.2-3 Service in Cooperating State and Federal Agencies

- A. General Rule** Service as an employee of a State or instrumentality of a State is not creditable service for civil service retirement purposes.
-
- B. When Service Is Creditable** States do enter into cooperative agreements with Federal agencies (notably the U.S. Department of Agriculture (USDA)) to perform certain Federal functions, however. Service under such agreements is considered creditable for retirement purposes if the employee:
- Holds a Federal appointment;
 - Is engaged in activities jointly administered by the United States and the State or other outside agency; and
 - Is under the supervision and control of Federal officials.
-
- C. Collaborator Service**
1. State employees (usually in USDA) who are retained on the Federal employment rolls without compensation or at a nominal compensation of \$1.00 a year so as to enable a Federal agency to avail itself of their services when needed, generally are not Federal employees. Their regular compensation is paid by the State or other cooperating organization, they are not supervised by a Federal official, and their duties are not those of a position in the civil service of the United States.
 2. When collaborator appointments are the result of a cooperative agreement between the Federal agency (usually in the Department of Agriculture) and a State entity, a collaborator who performed full-time or substantially full-time service in a position that meets the tests for Federal employment (see section 20A1.1-2, paragraph B) receives credit for his or her service. Service of this type is considered deposit service under CSRS. It is also deposit service under FERS if performed before January 1, 1989. OPM will allow credit for USDA collaborator appointments if the Department of Agriculture affirmatively certifies that the service is creditable. The USDA has the authority to determine whether the service of its cooperative employees (in any of its bureaus) is creditable for retirement purposes. OPM accepts USDA's affirmative statement that cooperative service in a particular case is creditable, unless there is a substantial reason apparent for questioning USDA's determination. (See paragraph I.1 of Appendix A for address.)
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Section 20A2.2-3 Service in Cooperating State and Federal Agencies (Cont.)

- D. Extension Service** On July 29, 1944, the Civil Service Commission (now OPM) adopted the tests for Federal service described in section 20A1.1-2, paragraph C, for determining whether cooperative service was Federal service. However, under this criteria credit for certain Federal Extension Service employment was denied because no formal appointment papers had been executed.

To overcome this circumstance, on September 30, 1957, the Commission (now OPM) changed the proof required to establish an appointment by a Federal officer. From that date, credit was allowed if the employee performed a Federal function under a Federal-State cooperative assignment and was named in a plan of work and budget document formally approved before January 1, 1945, by the Extension Service.

- E. Service With Agricultural Stabilization and Conservation County Committees**
1. Public Law 85-568, enacted July 1, 1960, declared employees of the Agricultural Stabilization and Conservation (ASC) county committees to be Federal employees as of July 10, 1960, for retirement purposes. This law covered all ASC county committee employees except those specifically excluded by law or regulations (such as temporary and intermittent employees). However, an employee who separated before July 10, 1960, cannot receive credit for that service.
 2. Service as a committee employee between February 29, 1936, and July 9, 1960, also was made creditable for determining length of service for automatic separation, annuity title, average salary, etc., if the employee was separated on or after July 10, 1960. However, service before July 10, 1960, could not be used for computation purposes unless a service credit deposit (with interest) was completed. Such deposit was authorized only if the employee, before July 11, 1962, had a total of 5 years of civilian service (including committee employee service). This law was amended by Public Law 87-350 to make these restrictions apply only to those employees separated before July 1, 1961.
 3. For employees in the service on July 1, 1961, Public Law 87-350 put credit for committee service prior to July 10, 1960, on the same basis as other nondeduction Federal service--that is, if the deposit was not made prior to retirement, the annual annuity would be reduced by 10 percent of the unpaid amount. (The provisions of Chapter 21 apply. See section 21A2.1-3, paragraph B.)

Section 20A2.2-3 Service in Cooperating State and Federal Agencies (Cont.)

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|--|--|
| E. Service With Agricultural Stabilization and Conservation County Committees (Cont.) | 4. The USDA has authority to determine whether service with ASC county committees is creditable for retirement purposes. An affirmative statement from the USDA is acceptable for crediting service with ASC county committees before July 10, 1960, and with predecessor organizations. See paragraph I.1 in Appendix A for the address to obtain information concerning the creditability of ASC county committee service. |
| F. Service in Agricultural Experiment Stations | <p>1. Service as an employee of a State Agricultural Experiment Station is not creditable for retirement purposes even though the salary is paid from funds of Federal origin. Such employees are not under the control of the Federal Government, they are not appointed by the Department of Agriculture even as collaborators without compensation, and they are subject to the personnel regulations that apply to the State colleges and universities in their respective States.</p> <p>2. Service in agricultural experiment stations operated in the Territories of Alaska, Hawaii, Guam, Virgin Islands, and Puerto Rico may or may not be creditable. Employing offices may request a determination about the creditability of such service from the Office of Personnel Management.</p> |
| G. Service in Land Grant Colleges | Employment by Land Grant colleges, which are State or Territorial institutions, is not creditable for retirement purposes. Individuals employed by Land Grant colleges do not receive Federal appointments, their hours of duty and their compensation are not fixed by the Federal Government, and their work is not supervised by Federal officials. |
| H. Alternator (Seasonal) Employees | Alternators are those employees hired by the Forest Service for seasonal work. When the season is over they are usually converted to intermittent status without a regularly scheduled tour of duty. They have consistently received full credit for the portion of their service that is performed on a full-time basis. During the period when they are in intermittent status without a regularly scheduled tour of duty, they receive credit only for the days they actually work. |

Section 20A2.2-3 Service in Cooperating State and Federal Agencies (Cont.)

- I. Service in Multi-State Regional Commissions** Public Law 89-4, enacted March 9, 1965, established the Appalachian Regional Commission to coordinate action between the Federal Government and the States within the region to promote their economic development. Under the provisions of the Act, the Federal cochairman, his or her alternate, and the staff are Federal employees for retirement purposes. Coverage is available on an elective basis to employees appointed to the Commission within 3 days after separation from Federal service.
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Chapter 20

Section 20A2.2-4 Employees Transferred to International Organizations and Mansfield Fellows

- A. General Rule** Generally, service in a public international organization like the United Nations and the Pan-American Union is **not** Federal service even when it is paid from joint funds of two or more countries, including the United States, and performed for the purpose of carrying out international agreements. However, under certain circumstances explained below, service with an international organization can be creditable.
-
- B. When Service Is Creditable** Under 5 U.S.C. 3343 et seq. and 5 U.S.C. 3581 et seq., (formerly Public Law 85-795, effective August 28, 1958, as amended by Public Law 91-175, effective December 30, 1969), the service (up to 5 years, with a possible 3-year extension) of an employee who transfers to an approved international organization is fully creditable if it is covered service. However, service with the international organization cannot be credited if it forms the basis, in whole or in part, for an annuity or pension under the retirement system of the international organization. The conditions under which an employee may continue coverage under CSRS (and FERS) are discussed in section 12A3.1-4 of Chapter 12.
-
- C. Service as Mansfield Fellows** The Mike Mansfield Fellowship Act, Public Law 103-236, approved April 10, 1994, permits credit for Mansfield Fellows. Mansfield Fellows serve as fellows in a parliamentary office, ministry, or other agency of the Government of Japan, or a nongovernmental Japanese institution associated with the interests of the Federal agency from which the fellow originated.
- Mansfield Fellows may be either detailed from their Federal positions, or separated from their Federal positions with reemployment rights.
- If separated from Federal employment, they are entitled to the same rights and benefits as those employees covered by 5 U.S.C. 3582. The conditions under which an employee may continue coverage under CSRS (and FERS) are discussed in sections 12A3.1-4 and 1-8C of Chapter 12.
-
- D. Service Credit Under Previous Law**
1. **Executive Order 9721 (May 10, 1946 through August 27, 1958)**

An employee receives credit for up to 6 months of leave without pay in each calendar year from the date of transfer to a public international organization to the date of separation from the international organization.

Section 20A2.2-4 Employees Transferred to International Organizations and Mansfield Fellows (Cont.)**D. Service Credit Under Previous Law (Cont.)**

The employee is considered to be on leave without pay from the Federal agency provided he or she is reemployed by the agency from which he or she was transferred within 3 years of the date of transfer. Failure to exercise reemployment rights terminated the Federal employment as of the date of the transfer to the international organization.

2. International Atomic Energy Agency (IAEA) after August 27, 1958

A Presidential appointee or elected official covered by CSRS who leaves his or her position after August 27, 1958, and within 90 days enters employment with the International Atomic Energy Agency (IAEA) obtains credit for up to 3 years of IAEA service by applying to OPM to pay all employee deductions and agency contributions covering the period of employment.

Payment must be made to OPM within 90 days after he or she is separated from IAEA. (Interest is not charged on the payment of employee deductions and agency contributions.) Credit is not allowed for such service if the deposit is not paid to OPM within the required period.

Section 20A2.2-5 Government-Owned Corporations

- A. General** Service with a corporation controlled by the Federal Government that meets all other requirements of creditable Federal service is creditable for retirement purposes.
-
- B. Government-Controlled Corporation** A Government-controlled corporation is a corporation created by the Federal Government to effect a particular Federal function, or functions. Mere ownership of a corporation by the Federal Government, in part or in whole, is not sufficient to make that corporation a Government-controlled corporation.
-
- C. Test for Creditable Service**
1. To establish entitlement to service credit for retirement purposes, the officers and employees of a Government-controlled corporation must meet the appointment, supervision, and function tests of Federal employment under 5 U.S.C. 2105(a) (See section 20A1.1-2C) that apply to all other Federal employees.
 2. Nonappointment service with a Government-controlled corporation is no different from nonappointment service with a Federal agency; it is not creditable.
-
- D. Reference** Previous rulings in regard to Government-controlled corporations are contained among the summary rulings on retirement service credit in Appendix B. If the appendix does not address the corporation in question, contact your agency headquarters Retirement Counselor, who may, as necessary, contact the Retirement and Insurance Service at OPM.
-

Section 20A2.2-6 Emergency Relief Agencies

- A. General** Laws creating the various emergency relief agencies, such as the Civilian Conservation Corps (CCC) and Work Projects Administration (WPA), were in themselves emergency measures, enacted to bolster the nation's sagging economy during the 1930's in the Depression period. The primary aim was to increase the purchasing power of the populace without resorting to the pure dole or handout system. There was, however, no intention to increase the Federal workforce materially as such and, with the exception of actual program operations, little of the work involved was performed for the Federal Government.
-
- B. Rule** Persons engaged in relief project employment were basically non-Federal employees, and the service cannot be credited for retirement purposes.
-
- C. Exception** Credit may be allowed for service on the administrative force of emergency relief agencies (if paid from administrative funds) and in certain other limited situations.
-
- D. Contact Agency** If an agency has an employee with this type of service and there is a question about whether or not it is creditable civilian service, direct your questions through your agency employing office to the headquarters Retirement Counselor who may, as necessary, contact the Retirement and Insurance Service at OPM.
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Section 20A2.2-7 Service Under Other Contributory Retirement Systems

A. General Rule

Service under other contributory retirement systems for government employees (such as those for the Foreign Service and the Tennessee Valley Authority) may be credited toward eligibility for and computation of annuity if the employee is not receiving any benefits under the other system for the service involved. Generally, the employee must:

- Take a refund of any retirement deductions under the other retirement system; and
- Deposit the amount of the refund in the Civil Service Retirement and Disability Fund, with interest, from the date of refund to the date of deposit (excluding any period of separation from the service that began before October 1, 1956).

NOTE: An employee may only make a deposit for service that may be credited under CSRS. If there is any question that some of the service for which the employee has received credit under the other retirement system might not meet the tests of Federal service, the employee should contact the headquarters Retirement Counselor **before** obtaining the refund. If necessary, the headquarters Retirement Counselor may contact the Retirement and Insurance Service at OPM concerning the creditability of the service.

B. Exceptions

The following situations do not require an employee to receive a refund of his or her retirement contributions from the other Federal retirement system to credit the service under CSRS.

1. A refund is unnecessary if there is an agreement for the other retirement system to transfer the funds directly to OPM. The employee must request such a transfer.

NOTE: OPM currently has agreements with the Central Intelligence Agency and the U.S. Department of State's Foreign Service for direct funds transfer.

Section 20A2.2-7 Service Under Other Contributory Retirement Systems (Cont.)**B. Exceptions
(Cont.)**

2. A refund is unnecessary when the employee is retired from another retirement system and has no remaining lump-sum credit. If the other plan will permit it, the employee may waive future retired pay under the other system to credit the service for civil service retirement purposes.

NOTE: Some retirement systems, such as the D.C. Police and Firefighters Retirement System do not allow waivers. When this is the case, the employee cannot receive credit for civil service retirement purposes.

Section 20A2.2-8 Service Under Noncontributory Retirement Systems

A. Rule

Individuals who participate under a noncontributory retirement system must waive entitlement to benefits under the noncontributory retirement system in order to receive retirement credit for that service under CSRS.

The service is creditable as nondeduction service, subject to the rules outlined in Chapter 21 for making a deposit for such service.

Section 20A2.2-9 Service Covered by Social Security

- A. Service Covered Only by Social Security** Federal civilian service that is excluded from CSRS coverage (most frequently service under a temporary appointment), because of the type of appointment, places the employee under Social Security coverage and is creditable under CSRS only if the employee receives an appointment subject to CSRS retirement deductions after completing the period of excluded (nondeduction) service.

NOTE: This is true even though the employee receives or is entitled to receive Social Security.

- B. Service Covered by CSRS and Social Security** Federal civilian service for which full Social Security taxes and reduced CSRS deductions are taken (CSRS Interim or Offset service) is generally creditable for retirement purposes under the same conditions as service for which full CSRS deductions are taken. (See Chapter 10 for a discussion of CSRS Interim and Offset service.)
-

Section 20A2.2-10 Federal Employee Assigned to State or Local Governments, Institutions of Higher Learning, or Nonprofit Organizations

A. General Rules

1. An employee who is assigned to a State or local government, institution of higher learning, or certain non-profit organizations may elect continued retirement coverage as explained in Chapter 12, section 12A3.1-3.
2. If the employee does not elect to continue coverage and deposit the retirement contributions currently, he or she is considered to be in a leave-without-pay status during the period of the assignment.

The employee may receive credit for up to 6 months of leave without pay in each calendar year from the date of assignment to the date the assignment ends. An employee who elects not to pay contributions may not pay the contributions retroactively.

3. Credit for the service is not allowed if the employee or his or her survivor elects to receive any benefit from the entity's retirement system if OPM determines it is similar to CSRS or FERS.

NOTE: See 5 CFR Part 334, Temporary Assignments, under the Intergovernmental Personnel Act. State and local government employees assigned to Federal agencies are still considered State and local government employees. Such service is not creditable under CSRS.

Section 20A2.2-11 Credit for Service With the Cadet Nurse Corps

A. General

Public Law 99-638 (effective November 10, 1986) allows credit under CSRS for service with the Cadet Nurse Corps during World War II.

B. Application Required by January 10, 1988

An individual who received training as a student or graduate nurse under a plan approved under section 2 of the Act of June 15, 1943, (57 Stat. 153) (that is, the Cadet Nurse Corps) is entitled to credit under CSRS if:

- The service totaled 2 or more years;
- The individual applied to OPM for service credit no later than January 10, 1988;
- The individual was employed by the Federal Government in a position subject to retirement deductions (CSRS or FERS) at the time the application was filed; and
- The individual makes a deposit to his or her employing agency for the service before separating for retirement purposes.

NOTE: The "mandatory deposit" provisions do not apply to Cadet nurses who were trained in an institution operated by a Federal agency and were subsequently employed in a position under CSRS. Such individuals were given credit under Public Law 80-330, enacted August 4, 1947.

C. Deposit Required

The deposit is computed on the deductions that would have been taken at the time the service was performed, plus any applicable interest. The law specified the rate of compensation to be:

- \$15 per month for the first 9 months of study;
 - \$20 per month for the 10th through the 21st month of study; and
 - \$30 per month for any month in excess of 21 months.
-

Chapter 20

Section 20A2.2-12 Commissioned Officers in the Public Health Service (PHS)

A. Background

Service as a commissioned officer in the Regular or Reserve Corps of the Public Health Service (PHS) was for many years considered civilian service rather than military service for civil service retirement purposes. Regular Corps officers were never subject to retirement deductions; however, reserve officers on active duty were subject to CSRS. (See Public Law 78-410, enacted July 1, 1944.)

Public Law 86-415 (enacted April 8, 1960) amended the civil service retirement law to include PHS commissioned personnel in the category of military personnel, effective July 1, 1960.

B. Rule: PHS Service Before July 1, 1960

Periods of Regular and Reserve Corps service performed before July 1, 1960, are creditable for civil service retirement purposes on the same basis as other civilian service.

The employee may make a deposit to the retirement fund to cover such service, or the time may be credited without deposit, in which case the annuity is reduced by 10 percent of the amount that would have been deducted as retirement contributions, plus any applicable interest. (See section 21A4.1-3F of Chapter 21 for an explanation of the treatment of refunded service.)

NOTE 1: Service as a Regular Corps officer performed prior to July 1, 1960, is creditable civilian service; however, such service cannot be counted toward the 5-year minimum civilian service requirement.

NOTE 2: Reserve officers, unlike Regular Corps officers, were subject to CSRS retirement deductions while on active duty. However, if a reserve officer is awarded benefits under the retirement system for officers of the PHS, this service cannot be used for CSRS purposes. OPM will refund the retirement deductions made during active duty periods.

NOTE 3: A reserve officer who is placed on inactive status continues to be subject to CSRS and is credited with as much of the inactive period as does not exceed 6 months in each calendar year to the termination of his or her commission or June 30, 1960, whichever is earlier. The salary used for annuity computations is the basic salary the individual would have earned had he or she been on active duty

Section 20A2.2-12 Commissioned Officers in the Public Health Service (PHS) (Cont.)**C. Rule: PHS Service On or After July 1, 1960**

Pursuant to Public Law 86-415, commissioned officers in Public Health Service were placed in the same category as armed services personnel, effective July 1, 1960. As a result, the rules governing credit for military service, as explained in Chapter 22 apply to service after June 30, 1960, for a commissioned officer in the Public Health Service.

D. Election Between Annuity and Social Security

1. Public Law 86-415, which placed PHS commissioned officers in the category of military personnel, permits an officer or his or her survivor to elect Social Security credit in lieu of CSRS credit for Reserve Corps service performed between January 1, 1957, and June 30, 1960. Such an election, if made, is irrevocable.

NOTE: An election to credit PHS Reserve Corps service from January 1, 1957, to June 30, 1960, under the Social Security system does not bar CSRS credit for PHS officer service **before January 1, 1957**, provided such service is otherwise creditable.

2. Commissioned officers of the Public Health Service who transferred to a civil service appointment under Public Law 89-234 (the Water Quality Act of 1965) or Public Law 91-604 (Clean Air Amendments of 1970) are barred from receiving both Social Security and CSRS credit for commissioned officer service performed after 1956. However, the individual or the survivors are authorized to irrevocably elect to waive credit for the service under one system to secure credit under the other.

NOTE: If the employees had not transferred under these provisions, they would be able to use the service for both purposes, provided they make a deposit for post-1956 service.

Section 20A2.2-13 Miscellaneous

- A. Merchant Marine Service**
1. Generally, service in the Merchant Marine is not creditable for retirement purposes. Prior to March 23, 1943, however, certain individuals appointed as employees of the U.S. Shipping Board, the War Shipping Administration, or the Maritime Commission to serve on a Merchant Marine vessel received civilian service credit for retirement purposes. Effective March 23, 1943, Public Law 78-17 provided that Merchant Marine service would no longer be creditable for CSRS retirement purposes.
 2. Under section 401 of Public Law 95-202, some Merchant Marine service is treated as military service for purposes of the laws administered by the Department of Veterans' Affairs, and some employees have received a military discharge for that Merchant Marine service. Neither the statute nor the discharge makes that service creditable for CSRS retirement purposes.
 3. If a question arises as to the creditability of such service, contact your agency's headquarters Retirement Counselor for assistance. If necessary, the agency's headquarters Retirement Counselor may write to OPM for a determination.
-
- B. Women's Army Auxiliary Corps**
- Service in the Women's Army Auxiliary Corps (WAAC) performed prior to August 12, 1943, is creditable as civilian service. The deposit due is based on pay at the rate of \$50.00 per month to April 19, 1943, and \$66.00 per month from April 20, 1943, through August 11, 1943. As of August 12, 1943, service with the Women's Army Corps (WAC) is creditable as military service.
-
- C. Coast and Geodetic Survey and Environmental Science Services Administration**
1. Service performed as a commissioned officer in the Coast and Geodetic Survey and Environmental Science Services Administration **before** July 1, 1961, is creditable as nondeduction service for civil service retirement purposes on the same basis as any other civilian nondeduction service **provided** it is not used as a basis for other retirement benefits.

An employee having such service may make a deposit to the retirement fund to cover the service or the time may be credited without deposit, and the annuity reduced by 10 percent of the amount owed for deposit.
 2. Service on or after July 1, 1961, as a commissioned officer in the Coast and Geodetic Survey and Environmental Science Services Administration (now the National Oceanic and Atmospheric Administration) is in the same category as military service and subject to the rules governing credit for such service.

Section 20A2.2-13 Miscellaneous (Cont.)**C. Coast and Geodetic Survey and Environmental Science Services Administration (Cont.)**

EXCEPTION: An employee who leaves his or her civilian position after June 30, 1961, during a period of war or national emergency to serve as a commissioned officer in the Coast and Geodetic Survey is, unless he or she receives a refund, considered on military furlough for the period of commissioned officer service but not to exceed 5 years. (See section 22A6.1-2 and 1-3 in Chapter 22 for further details.)

D. Food Service Employees of the House of Representatives

From October 18, 1986, to August 5, 1991, Public Law 99-500 (enacted October 18, 1986) made it possible for food service employees of the House of Representatives to retain CSRS coverage and benefits following the transfer of food service operations to a private contractor.

The Congressional employees who were food service employees of the contractor on January 3, 1987, must have elected, no later than January 2, 1987, to stay under CSRS. Those who made the election have the same retirement coverage as if they were still Congressional employees. Congressional food service employees who elected to stay under CSRS are covered by Social Security because they also are employees of the contractor. Therefore, the service is subject to the CSRS Offset provisions. (See Chapter 10, section 10A1.1-2, paragraph E.) The contractor withheld employee deductions and made the required 7.5 percent employer contributions to the CSRS. On August 5, 1991, the contract was terminated and Food Service employees again became Federal employees.

E. House Child Care Center Employees

Service with the House of Representatives Child Care Center is creditable as Congressional employee service if it is performed > on or after October 1, 1991,< or if the employee:

- performed the service before October 1, 1991;
- was an employee of the Center on August 11, 1993;
- had CSRS or FERS coverage on August 11, 1993, **and**
- pays a deposit based on the deductions in effect for Congressional employees for the period of service, plus interest.

There is no ending date for eligibility to make the deposit. However, retirement credit cannot be allowed unless the full amount of the required deposit has been paid.

Section 20A2.2-13 Miscellaneous (Cont.)

- F. U.S. Office of Thrift Supervision Employees** The Financial Institutions Reform, Recovery and Enforcement Act (FIRREA) of August 9, 1989, created the U.S. Office of Thrift Supervision (OTS) and provided for the transfer to OTS of Federal Home Loan Bank personnel who were performing functions or activities on behalf of the former Federal Home Loan Bank Board. This transfer was generally effected on October 8, 1989. Transferees were given the choice of retirement systems. They could choose to be covered by the Financial Institutions Retirement Fund (FIRA) or they could be covered by the Federal retirement system appropriate to their prior service history (CSRS, CSRS Offset, or FERS). Employees initially covered under CSRS or CSRS Offset were given a special extension of their six-month opportunity to elect to transfer to FERS coverage. An election of FERS could have been retroactive to October 22, 1989, at the employee's request. However, under this special extension, elections of FERS coverage by the transferees must have been filed no later than April 15, 1991.
-
- G. The District of Columbia Financial Control Authority (The Authority)** Federal employees separating from Federal service and other individuals employed by the Authority are allowed to elect to be deemed a Federal employee while employed with the Authority for the purposes of CSRS, FERS, FEHB, and FEGLI. Certain employees of the Authority are also eligible to participate in the Thrift Savings Plan. The basic rule established in law is that employees of the Authority must elect to be covered by Federal benefits or District of Columbia benefits. Beginning October 26, 1996, individuals appointed by the Authority to a position not excluded from CSRS or FERS coverage (such as service under a temporary or intermittent appointment) may elect to be deemed a Federal employee for CSRS or FERS purposes unless the employee elects to participate in a retirement, health, or life insurance program offered by the District of Columbia. However, a former Federal employee being appointed by the Authority on or after October 26, 1996, no more than 3 days (not counting District of Columbia holidays) after separation from Federal employment, cannot elect to be deemed a Federal employee for CSRS or FERS purposes unless the election was made before separation from Federal employment. Federal employees may be detailed to the Authority and they retain their status as Federal employees while on detail.

Section 20A2.2-13 Miscellaneous (Cont.)

- H. District of Columbia Courts** As of October 1, 1997, nonjudicial employees of the District of Columbia courts are treated as employees of the Federal Government for CSRS, FERS, FEGLI, FEHB, and the Thrift Savings Plan. A Federal employee retains CSRS or FERS coverage, if he or she transfers, with a break in service of 3 days or less, to the DC Corrections Trustee or the DC Pretrial Services, Defense Services, Parole, Adult Probation and Offender Supervision Trustee as an employee. Federal employees detailed to the DC Courts retain their status as Federal employees and, therefore, retain Federal benefits coverage.
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- I. U.S. Enrichment Corporation** Former Federal employees employed by the U.S. Enrichment Corporation immediately preceding privatization in 1996 could elect to retain their CSRS or FERS coverage.
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- J. Civilian Marksmanship Corporation** Federal employees of the Department of Defense, Civilian Marksmanship Program, as of September 30, 1996, who were employed by the Civilian Marksmanship Corporation (Corporation) as of October 1, 1996, could continue to be eligible, during continuous employment with the Corporation, for coverage under CSRS or FERS, FEHB, and similar benefits such as FEGLI.
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- K. U.S. Holocaust Memorial Council and U.S. Holocaust Memorial Museum** Prior to September 20, 1992, if an employee of the U.S. Holocaust Memorial Council (Council) was paid from Federal funds, he/she was considered a Federal employee. If an employee of the Council was paid from donated funds, he/she was not considered a Federal employee. From September 20, 1992, to April 3, 1993, all employees of the Council were paid from donated funds and thus were not considered Federal employees. On April 4, 1993, all employees became employees of the U.S. Holocaust Memorial Museum and were paid from Federal funds. Thus, they are considered Federal employees.
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Subpart 20A2.3 Unused Sick Leave**Section 20A2.3-1 Unused Sick Leave**

A. General Rule

1. The service of an employee is increased by the days of unused sick leave to his or her credit under a formal leave system if the employee:
 - Retires on an immediate annuity (that is, one that begins to accrue no later than 1 month after the employee is separated); or
 - Dies in service leaving a widow or widower entitled to survivor annuity.

NOTE: In the case of a retiree receiving an annuity that stops when he or she is reinstated to a covered position (for example, a discontinued service annuitant or a disability annuitant found recovered or restored to earning capacity), sick leave credited in the computation of the retiree's annuity is not recredited to the individual's leave account during the period of reemployment. However, the sick leave will be credited in the individual's annuity computation when he or she retires again, or dies leaving an eligible survivor.

2. A separated employee entitled to a deferred annuity beginning at age 62 is not entitled to retirement credit for unused sick leave.
-

B. Definition of a Formal Leave System

For purposes of crediting unused sick leave, a formal leave system is one provided for by law or regulation, or operating under written rules specifying a group or class of employees to which it applies and the rate at which sick leave accrues.

Employees under the leave program in the executive branch are covered by a formal leave system. Employees not subject to that program may be covered by another sick leave plan that meets this definition. The sick leave must be available for use at time of retirement.

EXCEPTION: Presidential Appointees, see paragraph D.

The employee must be under a formal leave system on the day of retirement or death in service to get credit for the unused sick leave. For example, an employee who transfers from the executive branch (under a formal leave system) to a legislative branch position (not under a formal leave system) and retires or dies in service does not get credit for any previously accumulated sick leave in computing the monthly benefit due. (See paragraph E.)

Section 20A2.3-1 Unused Sick Leave (Cont.)**C. Restrictions**

The days of unused sick leave are used only to determine the number of years and months of service for annuity computation purposes; they cannot be used to compute the employee's high-3 average pay or to meet the minimum length of service required for retirement eligibility.

D. Presidential Appointees

Effective October 25, 1978, for annuity computation purposes, the service of a Presidential appointee is increased by the days of unused sick leave that have been held in abeyance from the date of the Presidential appointment if the employee:

- Had been covered by sick leave immediately preceding the Presidential appointment;
- Retires on an immediate annuity; or
- Dies, leaving a widow or widower entitled to survivor annuity.

NOTE: If the employee elects to retire directly from a Presidential appointment, the unused sick leave (including any sick leave that has been held in abeyance from the date of the Presidential appointment) must be posted in the remarks column under service history on the SF 2806, Individual Retirement Record.

E. Determining Amount of Sick Leave To Be Credited

1. When an employee is charged 8 hours of sick leave for 1 day's absence, each 8 hours of unused sick leave constitutes 1 day of credit.

Hours are converted to years, months, and days on the basis of a 2087-hour work year. Days are converted to years, months, and days on the basis of a 260-day work year. No additional sick leave credit based on the unused sick leave is allowable, that is, no "leave on leave."

NOTE: The 2087-hour work year chart (Chart 2) and the 260-day work year chart (Chart 3) are in Chapter 50, Computation of Annuity Under the General Formula, section 50C1.1-1.

2. When an employee has an uncommon tour of duty and is charged more or less than 8 hours of sick leave for 1 day's absence, total service is increased by the number of days in the period between the date of separation and the date the unused sick leave would have expired if the employee had used it (except that holidays falling within the period are treated as workdays, and no additional leave credit is earned for that period). The date such sick leave would expire is posted on the SF 2806.
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Section 20A2.3-1 Unused Sick Leave (Cont.)

- F. Determining Total Length of Service** To determine the length of service for annuity computation purposes, all periods of an employee's creditable service and the period represented by unused sick leave are added and any fractional part of a month in the total is eliminated.
- EXAMPLE: An employee with two periods of service, one of 12 years 6 months and 20 days, and the other of 18 years 3 months and 15 days, and with 856 hours (107 days or 4 months and 28 days) of unused sick leave to his or her credit at retirement, is credited with 31 years and 3 months service for annuity computation purposes.
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- G. Effect on 80-Percent Maximum Annuity** The basic annuity of an employee may not exceed 80 percent of the high-3 average salary. However, annuity in excess of the 80 percent that is produced by crediting unused sick leave is payable. (See Chapter 50, section 50A3.1-2.)
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Part 20A3 Amount of Creditable Civilian Service**Section 20A3.1-1 Amount of Creditable Civilian Service**

**A. Periods of
Absence:
General**

1. Credit is granted for all absence with pay. Generally, credit is allowed for periods in a nonpay status (for example, leave without pay, suspension, furlough, and absence without leave) that do not exceed a total of 6 months in any calendar year.
 2. Also, a person who separated from civilian service to enter essential outside employment (for example, merchant marine, war industry, and National Guard training) between 1941 and 1948 with restoration rights under the mandatory provisions of any law, regulation, or executive order, and who was restored (that is, reemployed by the same Federal agency) under these mandatory rights, receives credit for so much of the intervening period as does not exceed 6 months in a calendar year.
 3. There are special provisions governing credit for periods of leave without pay when the employee is:
 - On LWOP-military (formerly military furlough) or is separated to enter military service during a period of war or national emergency (see Chapter 22);
 - Receiving workers' compensation (see paragraph B, below); or
 - Granted leave without pay to serve as a full-time officer or employee of an employee organization (see section 20A2.1-6).
-

**B. Workers'
Compensation**

If an employee is receiving benefits from the Office of Workers' Compensation Programs, credit is given for the entire period of compensation if he or she is carried on the rolls of the agency in a leave without pay (LWOP) status. Also, credit is allowed for all of the period of separation during which a former employee was in receipt of workers' compensation, regardless of the type of appointment, provided the person is reemployed in Federal service and establishes title to annuity based on a subsequent separation. However, periods of separation in which an employee is in receipt of workers' compensation cannot be used to meet the "1-out-of-2" requirement to establish title to a nondisability annuity. (See Chapter 102, Relationship Between Annuity and Compensation for Work-related Injuries and Diseases.)

Section 20A3.1-1 Amount of Creditable Civilian Service (Cont.)**C. Intermittent Service**

Generally, an individual is an intermittent employee when he or she is non-full-time and does not have a prearranged regularly scheduled tour of duty (see 5 CFR Part 340, Other than Full-Time Employment). Agencies have not always been consistent in their use of terms identifying non-full-time service, however. Some records may show a WAE, an L.A., etc. When determining how much service credit to give an individual, certain basic rules apply.

1. With certain exceptions specified below, an employee working under a when-actually-employed (WAE) appointment can only receive credit for the time he or she actually served.
 - If records are available showing exactly what days the employee worked, credit should be allowed for a full day of service so long as the employee worked at least 1 hour in the day. If the employee worked more than 8 hours in 1 day, however, he or she should not receive credit for more than the actual calendar time employed. For example, an employee who worked 16 hours in 1 day is credited with only 1 day of service.
 - If available records only show the total number of hours worked, for service on or after March 1, 1986, use the 2087 hour sick leave chart to convert hours into total months and days worked.

NOTE 1: The 2087-hour work year chart (Chart 2. -- Sick Leave Chart 2087 Hours) and the 260-day work year chart (Chart 3. -- 260 Day Work Year Chart) are in Chapter 50, section 50C1.1-1.

NOTE 2: Prior to March 1, 1986, a 2,080-hour basis was used to derive hourly rates of pay from annual rates. This was consistent with a 260-day work year. Effective March 1, 1986, Public Law 99-272 prescribed a 2,087-hour basis (for budgetary purposes) but no change was made in the 260-day work year.

- For Service before March 1, 1986, for most agencies, unless a different schedule is shown, use 8 hours for a day, 313 days for a year before July 1, 1945; and 260 days for a year after June 30, 1945. For example, if the established work year is 260 days, and the employee was in a pay status 130 days, he or she is allowed credit for 6 months' service.

Section 20A3.1-1 Amount of Creditable Civilian Service (Cont.)**C. Intermittent Service (Cont.)**

NOTE: Consider the number of days in a pay status in relation to the established work year when computing the total months and days worked.

2. Some appointments may be designated as intermittent or WAE even though they have more of the characteristics of a "seasonal" appointment. Except for employees of the Internal Revenue Service prior to October 1, 1980, when such an employee's records show that he or she was placed in a leave-without-pay status after being on a full-time or a part-time work schedule, allow credit for the days actually worked and for the period of leave without pay that does not exceed 6 months in a calendar year.
 - Such appointments were given by the Forest Service (forestry technicians/forest guards) and by the Customs Service (customs inspectors).
 - Prior to October 1, 1980, the Internal Revenue Service (IRS) placed their seasonal employees in a nonwork, WAE, or intermittent status during the off-season. For retirement purposes, such employees do not receive credit for time reported as "nonwork" time between seasons. After October 1, 1980, however, IRS employees should also receive credit for the period actually worked and for the period of leave without pay that does not exceed 6 months in a calendar year.
3. Regular postal employees are entitled to receive credit for service in the usual manner, that is, full-time less any excess leave. Some postal employees, however, serve under appointments that require them to work intermittently. They are entitled to service credit as explained below.

Service in the following positions, although intermittent, receives full calendar time credit for **entitlement** purposes provided the employee was subject to call --

Part-Time Flexible Clerk
 Part-Time Flexible Carrier
 Part-Time Flexible Clerk
 (Substitute)
 Part-Time Flexible Railway
 Mail Clerk
 Substitute Rural Carrier
 Temporary Rural Carrier
 Auxiliary Rural Carrier

Section 20A3.1-1 Amount of Creditable Civilian Service (Cont.)**C. Intermittent Service (Cont.)**

- If a postal employee in one of the positions listed above does not perform actual service, it is not considered a period of absence so long as the employee is subject to call. However, periods during which the employee is excused from call or is on furlough are subject to the general rule concerning periods of absence in excess of an aggregate of 6 months during any calendar year.
- Temporary (Casual) Christmas postal employees receive full credit for their service from appointment date to date of separation. If the only record available is a payroll record showing the total number of hours worked, the service is credited allowing 1 day's service for each 8 hours worked, so long as the total does not exceed the calendar time for the payroll period or periods involved.

4. If there is any question about how much service credit should be allowed for a period of employment, contact your agency's Retirement Counselor for assistance. If necessary, the agency's headquarters Retirement Counselor may write to OPM for a determination.
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D. Breaks in Service

Separations of only 1, 2, or 3 calendar days are not deducted in computing total creditable service. No credit is allowed, however, for any period of separation that exceeds 3 calendar days.

E. Periods for Which Refunds Have Been Made

1. Public Law 101-508 changed the CSRS provision regarding civilian service redeposits. For an employee whose **nondisability** annuity commences on or after December 2, 1990, and who retires owing a redeposit for civilian service that ended before October 1, 1990, a redeposit will not be required. Full credit will be allowed in computing the length of service for annuity purposes, but the annuity will be actuarially reduced. The reduction will be the amount that would result if an alternative annuity lump sum in the amount of the redeposit had been paid. To compute this reduction, OPM will use the same actuarial factors used to determine alternative annuity reductions.
 2. All employees retiring on disability and all employees -- unless they are eligible for and elect an alternative annuity -- who received a refund for service ending on or after October 1, 1990, must still pay a redeposit to OPM to receive credit for the refunded service. If the redeposit is not paid, the service is creditable toward eligibility to retire and for high-3 average salary, but is not used to compute the benefit payable +
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Section 20A3.1-1 Amount of Creditable Civilian Service (Cont.)**F. Nondeduction Service**

Generally, an employee is not required to make a deposit for a period of service during which retirement deductions were not taken from the employee's pay (nondeduction service) -- such payments are entirely voluntary. However, the way such service will be treated in the computation of the annuity will depend upon whether the deposit is paid, or deemed paid, if the employee is eligible for and elects the alternative annuity.

1. For a period of nondeduction service performed before October 1, 1982, credit may generally be given without deposit; however, the employee's annuity will be subject to the reduction explained in section 21A2.1-3B of Chapter 21.
2. For a period of nondeduction service performed after September 30, 1982, credit will not be included in computing the annuity. However, the service does count to establish eligibility for retirement and to compute average salary. (See section 21A2.1-3D of Chapter 21.)

G. Part-Time Service

When an employee has served on a part-time basis (non-full-time service with a prearranged regularly scheduled tour of duty) such as 4 hours a day, 5 days a week, full credit is allowed for **entitlement** purposes for all time elapsing between date of appointment and date of separation. Full credit is also allowed for employees who served on a part-time basis of 16 to 32 hours per week under the Federal Employees Part-Time Career Act of 1978 (Public Law 95-437, approved October 10, 1978). For computation guidance, see Chapter 55, Computation for Part-Time Employees.

H. Restoration After Removal or Suspension

1. When an employee's removal or suspension is held to have been improper and the separation is canceled by administrative or judicial action, the person is considered for retirement purposes to have been employed in the service during the intervening period of erroneous separation or suspension.
2. If the employee's separation is canceled with entitlement to back pay (regardless of whether any adjusted back pay is actually awarded or not), retirement deductions -- from both the employee and the agency -- are due for the entire period of separation on the employee's full basic pay. If the employee's adjusted back pay award does not cover the amount of the employee retirement deductions due or the employee does not make payment of the required employee deduction to the agency, the employee may deposit the retirement deductions by applying to OPM under the procedures described in Chapter 21.

Section 20A3.1-1 Amount of Creditable Civilian Service (Cont.)

- H. Restoration After Removal or Suspension (Cont.)** 3. If the employee is not entitled to pay (that is, the employee's separation is canceled and he or she is placed in a leave-without pay status), retirement credit is allowed for as much of the intervening period without pay as does not exceed 6 months in any calendar year.
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- I. Terminal Leave** A lump-sum payment covering accrued and accumulated leave is not considered pay for retirement purposes, and no credit is allowed for the period covered by the payment.
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- J. Fractional Part of a Month in Total Service** In computing an employee's creditable service, the fractional part of a month in the aggregate service is eliminated.
- EXAMPLE: An employee who has had two periods of creditable service, one of 12 years 6 months and 20 days duration and the other of 18 years 3 months and 15 days duration, is given credit for a total of 30 years and 10 months of service. (See subpart 20A2.3 above regarding credit for unused sick leave.)
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Chapter 20

Subchapter 20B FERS
Part 20B1 General Information**Section 20B1.1-1 Overview**

A. Introduction Subchapter 20B contains the rules and procedures that apply to creditable service under the Federal Employees Retirement System (FERS).

This subchapter explains how FERS differs from CSRS. It refers readers to the CSRS rule that applies or gives the FERS rule if it is different.

B. Organization of Subchapter The FERS subchapter has three parts:

Part	Name of Part	Page
20B1	General Information	52
20B2	Types of Creditable Civilian Service	55
20B3	Amount of Creditable Civilian Service	58

C. Statement of Authority This subchapter is based on the laws and regulations cited below.

- United States Code: 5 U.S.C. 8411
 - Code of Federal Regulations: 5 CFR 842, Subpart C; 5 CFR 846.302
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Chapter 20

Section 20B1.1-2 Concept of Creditable Service

A. General

The FERS Act provides that, with certain exceptions, service creditable under CSRS is potentially creditable under FERS.

However, there are some important conceptual differences between CSRS and FERS in regard to service credit. These differences are discussed in the paragraphs that follow.

B. Rules

1. Under FERS, no credit is given for **any** retirement purpose (eligibility for benefits or computation of annuity) unless the employee's deductions or a deposit is in the retirement fund for the period of service.
2. A redeposit cannot be made for service for which there has been a refund of FERS deductions. Consequently, under FERS, refunded service can never again become creditable for **any** retirement purpose.
3. Nondeduction service performed before January 1, 1989, is creditable for retirement purposes if a deposit is made. Nondeduction service performed on or after January 1, 1989, except for Peace Corps and VISTA volunteer service, is not creditable for any retirement purpose.

NOTE: Deposits that are refunded after FERS coverage began cannot be repaid.

4. Under certain circumstances, service originally covered under CSRS can become subject to FERS credit and computation rules. This occurs when --
 - An employee who is automatically covered by FERS had some previous service under CSRS, but not enough to meet the 5-year test (see Chapter 10), or
 - An employee who elects to transfer to FERS does not have 5 years of non-offset service at the time of transfer (see paragraph C below).

Payments can be made to credit this type of service, including payments for service covered by CSRS for which contributions were refunded based on a refund application filed **before** the employee **was first covered** under FERS. However, as noted above, payments that are refunded after FERS coverage begins cannot be repaid.

Chapter 20

Section 20B1.1-2 Concept of Creditable Service (Cont.)

- C. Transferees With a CSRS Annuity Component** Employees who elect to transfer to FERS may receive annuity computed partly under FERS rules and partly under CSRS rules. An employee who has 5 or more years of creditable civilian CSRS service (not counting any CSRS Offset service) will be entitled to benefits computed under CSRS rules for service prior to transferring to FERS. The rules outlined in subchapter A of this Chapter cover all service in a CSRS component. Service from the effective date of the transfer forward comes under FERS rules.
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Chapter 20**Part 20B2 Types of Creditable Civilian Service****Section 20B2.1-1 Service Under 5 U.S.C. 8411**

- A. General** Section 8411 of title 5 of the United States Code specifies periods of service that are creditable under FERS for retirement purposes. These periods of service are listed in paragraph B below.
- B. Service Creditable Under Section 8411** Creditable service under 5 U.S.C. 8411 includes:
- Covered service (that is, service subject to FERS retirement deductions), after December 31, 1986, unless it is refunded;
 - Service for which full Social Security taxes and full or reduced CSRS deductions were taken between January 1, 1984, and December 31, 1986, inclusively, if the CSRS deductions were not refunded after the employee became subject to FERS;
 - Nondeduction service (that is, temporary or intermittent service) performed before January 1, 1989, that would be creditable under 5 U.S.C. 8332 if a deposit for such service is made; and
 - A period of service that was creditable under the Foreign Service Pension System (FSPS), if the employee waives credit for such service under FSPS and makes a payment to the retirement fund equal to the amount that would have been deducted from pay (plus interest) had the employee been subject to FERS coverage during such period of service; and
 - Full-time service as a volunteer or volunteer leader with the Peace Corps or VISTA performed **at any time** prior to separation, if a deposit has been made for the service. Credit is given for satisfactory volunteer service with these organizations (excluding training time) without regard to when the service was performed or the individual's eligibility for Social Security benefits. The deposit rules changed with the passage of Public Law 103-82, the National and Community Service Trust Act of 1993 and Domestic Volunteer Service Act Amendments of 1993. (See Chapter 21, Service Credit Payments for Civilian Service, for detailed information on Peace Corps or VISTA volunteer service credit payments.)
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- C. Nondeduction Service Performed After 1988** Nondeduction service, including radio broadcast service, performed after December 31, 1988, is not creditable under FERS.
- NOTE:** Even though nondeduction service or service for which a refund has been received is not creditable under FERS for retirement purposes, the service may be used for leave and RIF purposes. (See The Guide to Processing Personnel Actions (formerly FPM 296-33.)

Chapter 20

Section 20B2.1-2 Other Creditable Service

- A. Applicable CSRS Provisions** The types of service that are listed as creditable under CSRS in subpart 20A3 are creditable under FERS, with certain exceptions. The exceptions are noted below.
-
- B. Service Under Other Federal Retirement Systems** Generally, service as a Federal employee performed under another Federal retirement system for government employees is potentially creditable under both CSRS and FERS.
1. If there is a CSRS annuity component to the FERS annuity, and the service was performed before the employee was first covered by FERS, CSRS rules apply to the transfer of contributions and the service with the other retirement system is included in the CSRS annuity component.
 2. If there is no CSRS annuity component, but the service was performed before January 1, 1989, the employee must generally take a refund from the other retirement system (or otherwise waive entitlement to any benefits under the system) and make a deposit to the retirement fund of 1.3 percent of earnings plus interest under the regular FERS provisions (5 U.S.C. 8411(f)(2)).
 3. When there is no CSRS annuity component, credit for service performed under another retirement system after 1988 cannot be transferred, since deposit service after 1988 is not creditable under FERS rules. The only exception to this rule is service creditable under the Foreign Service Pension System (FSPS). Credit for FSPS service can be transferred to FERS, even if the service was performed after 1988.
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- C. Service Covered Only by Social Security** Civilian service that, because of the type of appointment, is not subject to CSRS or FERS but is only subject to Social Security, is creditable if the employee later becomes subject to the FERS retirement system only if it was performed prior to January 1, 1989, and a deposit is made.
-
- D. Employees of the Senate Employee Child Care Center** The Senate Employee Child Care Center is a nonprofit corporation established under authority of S. Res 269, 98th Cong., 1st Sess. (1983)(enacted). Although employees of the Center are not considered Federal employees under section 320 of Public Law 102-391, they may elect to become covered under FERS. All service with the Center may be credited under FERS upon payment of a service credit deposit. (See Chapter 12 for additional information.)

Chapter 20

Section 20B2.1-2 Other Creditable Service (Cont.)

NOTE: The information in this section has not been updated to reflect the additional retirement credit opportunities for FERS employees who moved between nonappropriated fund (NAF) and civil service positions after December 31, 1965, provided by Public Law 104-106, the National Defense Authorization Act for Fiscal Year 1996, which was approved February 10, 1996. These provisions, which took effect August 10, 1996, allow certain FERS employees to elect to return retroactively to NAF retirement plan coverage or to remain covered by FERS and obtain FERS service credit for a period of service under a NAF retirement plan.

See Benefits Administration Letter 96-108, dated September 6, 1996, for more information about these changes. You can download the letter from OPM ONLINE computer bulletin board by following the instructions in Chapter 1.

Chapter 20

Section 20B2.1-3 Unused Sick Leave

A. General Rule Under FERS, unused sick leave is not creditable for annuity computation purposes.

- B. Rule:
Transferees**
1. For individuals who transferred to FERS without a CSRS annuity component, follow the general rule (paragraph A above).
 2. Individuals who transferred to FERS with a CSRS annuity component may receive credit for the amount of unused sick leave they had at date of transfer or date of retirement, whichever is less, on the CSRS component only.

EXAMPLE 1: Joan had 15 years of CSRS service when she elected to transfer to FERS. At the time of transfer, she had a sick leave balance of 1,272 hours.

Two years later (with an increased sick leave balance of 1,480 hours), Joan underwent major surgery. During her convalescence, her sick leave balance dwindled to 440 hours. She returned to work, and after 3 years, retired optionally at age 60. At the time of her retirement, Joan's sick leave balance had increased to 700 hours.

The unused sick leave at time of retirement (700 hours) is less than the unused sick leave at date of transfer (1,272). Thus, 700 hours of sick leave is added to her length of service in the CSRS annuity component.

EXAMPLE 2: Maurice had 20 years under CSRS when he elected to transfer to FERS. At the date of transfer, he had 1,600 hours of unused sick leave to his credit. After only 2 years under FERS, Maurice died in service. At date of death, he had a sick leave balance of 1,760 hours.

Under FERS, the surviving spouse receives 50 percent of the deceased employee's earned annuity at date of death. The earned annuity in this instance has both a CSRS and FERS annuity component.

The sick leave balance at time of transfer (1,600 hours) is less than the sick leave balance at date of death (1,760 hours). As a result, 1,600 hours of unused sick leave is used in computing the CSRS annuity component of the deceased employee's earned annuity.

Chapter 20

Part 20B3 Amount of Creditable Civilian Service**Section 20B3.1-1 Amount of Creditable Civilian Service**

- A. Applicable CSRS Provision** The CSRS provisions discussed in part 20A3 apply to service performed under FERS, with certain exceptions. The exceptions are noted below.
- B. Periods for Which Refunds Have Been Made** Service under FERS for which retirement deductions have been refunded to an employee is not included in length of service for eligibility or annuity computation purposes.

EXAMPLE: George was employed under a career appointment from 1988 to 1992. When he resigned in 1992, he applied for and received a refund of his FERS deductions. If he ever returns to Federal service, this 1988-1992 period will not be creditable for any purpose for a future FERS benefit -- not for eligibility to retire or for computation of his benefits.

- C. Nondeduction Service**
1. Nondeduction service performed under FERS prior to January 1, 1989, is not creditable for any retirement purpose unless a deposit is made, and deposits that **are refunded after FERS coverage begins cannot be redeposited.**

EXAMPLE 1: Laura was employed in a temporary appointment from February 1, 1987 to September 30, 1987. On November 1, 1987, she received a career conditional appointment and became covered by FERS. Laura must pay a deposit for her temporary service for it to count toward eligibility to retire and in the computation of her annuity.

EXAMPLE 2: Assume that in the above example Laura paid the deposit in 1990 for her temporary service in 1987. In 1992, she resigned and received a refund of all her FERS contributions. If she ever returns to Federal service, she cannot receive credit for either period of service for eligibility to retire or in the computation of an annuity.

2. Nondeduction service performed on or after January 1, 1989, is not creditable for any retirement purpose.
-

Appendix A**Verification of Civilian Service****A. General**

Service performed by an employee is creditable toward retirement benefits only if that service has been verified; that is, only if an acceptable record of it is on file.

Verification of service is not synonymous with creditability of service. Service may not be credited unless it is verified. However, not all verified service is creditable. OPM is responsible for determining the creditability of verified service. Alleged service that is clearly not creditable for retirement purposes need not be verified. Paragraphs B through H provide general guidance for the verification of creditable service. Paragraph I begins the guidance for verification of specific types of creditable service for which special instructions and addresses are necessary. Your request for verification of service should include the full name used during the period of service to be verified, the individual's date of birth, and Social Security number.

B. Primary Sources of Records of Service

Primary evidence of service is defined as the original documents verifying the employment of an individual. Sources for such evidence include:

- Civil Service Retirement System (CSRS) and Federal Employees Retirement System (FERS) records (SF 2806, SF 3100); and
- Records of government agencies that may be accessed through the employing agency, the National Archives, or the National Personnel Records Center (SF 50's in employee's Official Personnel Folder (OPF)).

C. Verification from CSRS and FERS Records

Service may be considered verified (but not necessarily creditable) if:

- It is recorded and certified on an SF 2806 (or on any of its predecessor forms) and/or an SF 3100 and not marked "unverified" or "prior service claimed" etc.;
- It is recorded and certified in a refund or service credit claim;
- It is recorded and certified by the National Personnel Records Center, or the Office of Personnel Management in an agency's formal "Request for Verification of Service"; or
- It is recorded and certified on the SF 2801-1 or the SF 3107-1.

D. Verification by Employing Agency or National Personnel Records Center

If alleged civilian service needs to be verified, an official record of service must be requested from the agency having custody of the Official Personnel Folder or payroll records. In cases where the employing agency is no longer in existence, requests should be made to the National Personnel Records Center. Information concerning discontinued agencies is provided in F below.

An employee normally has only one Official Personnel Folder (OPF). It follows the employee from one agency to another when he or she transfers, or upon request is sent from the NPRC to the new agency where an individual is reemployed after an extended break in service. Most agencies forward all records to National Personnel Records Center when an employee separates from Federal service. A few agencies, however, retain permanent records of separated employees and should be contacted directly for verification of service. These agencies are listed in E below.

Official Personnel Folders have been prescribed for use by all agencies in the Executive Branch since April 1, 1947; they should be complete for service since that date. However, some Executive Branch employees' records may also be in SF 66-C's, Merged Records Personnel Folders, if the employee was hired also by a non-title 5 agency. Requests for verification of service performed before April 1, 1947, and which is not on record in an OPF should be addressed to the agency having custody of the records.

E. Agencies Retaining Permanent Records

The following agencies retain a permanent record of separated employees and should be contacted directly for verification of service in that agency.

- Agriculture, ASCS
- Administrative Office of U.S. Courts, including the Supreme Court
- Architect of the Capital
- Banks for Cooperatives
- Botanic Gardens
- Canal Zone Government
- Central Intelligence Agency (CIA)
(Submit all requests through the Office of External Affairs.)
- Committee for Purchases of Blind-Made Products
- Committee for Reciprocity Information
- Congress -- Members and Employees
- U.S. House of Representatives
- U.S. Senate
- District of Columbia Government agencies as follows:
 - Court of General Sessions
 - Minimum Wage and Industrial Safety
 - Public Schools
 - Public Service Commission
 - Tax Court
 - Uniformed Officers (Police and Fire Departments)
- Farm Credit Banks
- Federal Bureau of Investigation
- Federal Intermediate Credit Banks
- Federal Land Banks
- Federal Reserve, Board of Governors
- Gallaudet University
- National Academy of Sciences
- National Research Council
- National Resources Planning Board
- National Security Council
- Office of Strategic Services
(Submit all requests through the Office of External Affairs.)
- Panama Canal Company
- Peace Corps (Volunteers)
- President's Advisory Committee on Management
- Production Credit Corporations
- Tennessee Valley Authority
- U.S. Information Agency

F. Discontinued Agencies

The following list identifies agencies discontinued since 1950 and the agencies now having custody of records. (See the United States Organization Manual for a listing of all discontinued agencies.)

<u>Discontinued Agency</u>	<u>Periods Covered by Records</u>	<u>Agency That Has Records</u>
Advisory Board on Economic Growth and Stability	1953-1961	National Archives and Records Administration
Advisory Committee on Federal Public Works	1955-1961	NPRC
Advisory Committee on Management Improvement	1949-1961	NPRC
Operations Coordination Board	1953-1961	CIA
President's Advisory Committee on Energy Supplies and Resources Policy	1954-1961	NPRC
President's Advisory Committee on Government Organization	1953-1961	NPRC
Committees of the U.S. Senate and House of Representatives	1902-1952	U.S. Senate or U.S. House of Representatives

G. Agencies Retaining Partial Records

The following agencies retain the records of some of their separated employees.

<u>Agency</u>	<u>Records Retained</u>
International Cooperation Administration (now Agency for International Development)	Personnel folders of local (non-U.S. citizen) employees. These folders are maintained in the American Embassy for the locality in which employment was rendered.
Office of Chief of Naval Intelligence	Certain investigative personnel known variously as ONI Agents, Special Agents, or Contract Agents employed in District Intelligence Offices inside and outside the continental United States, Potomac River Naval Command, some overseas areas, and in the Washington headquarters. Personnel assigned to the Scientific and Technical Unit, Frankfurt, Germany, before February 11, 1957.
State Department	Overseas employment prior to November 1, 1973.

H. Verification by National Personnel Records Center

1. General

The National Personnel Records Center (NPRC) was established as the repository for Official Personnel Folders (OPF's) of individuals no longer in Federal service. Most agencies forward the OPF to NPRC 30 days after a resignation or 120 days after a death or retirement. This time frame may be longer if a grievance or appeal is pending.

Traditionally, the NPRC provided earnings and service history information for annuity claims when the verification of Federal employment was incomplete. They search pay records for service when no other source of verification can be found and forward OPF's on request.

2. Verification from Payroll Records

NPRC will process requests for payroll record searches. However, since payroll searches are costly and time-consuming, request a search only if no other source of information is available.

Before requesting a payroll search, insure that the information is not on record with the employing agency, in the OPF, or in the CSRS or FERS records at OPM.

Payroll record searches may be necessary if any of the following kinds of information are needed to complete development of a case:

- Date retirement deductions began;
- WAE or intermittent service (earnings or time actually worked);
- Earnings needed to complete a computation; or
- Verification of service not available from the OPF.

3. When Secondary Evidence May Be Admissible

When service cannot be verified by primary evidence, secondary evidence may become admissible. However, affidavits or other non-records evidence will not be allowed to controvert the established record where (1) primary evidence is available; (2) it is determined that no loss and/or destruction to records has occurred; and (3) the records are considered complete. For example, should the reply to a request for a payroll search show no record of the alleged service; and should the reply cite no loss, destruction or incompleteness of records as the cause for a failure to locate the information, secondary evidence would not be admissible. The mere fact that official records do not include mention of claimed service does not make secondary evidence admissible. Secondary evidence can be accepted only if it is established that official government records are incomplete or have been lost or destroyed in whole or in part.

H. Verification by National Personnel Records Center (Cont.)**4. Forms of Secondary Evidence**

Secondary evidence may consist of as many of the following items as it is possible to obtain. Submit as many documents as possible from the list in item a below. OPM will consider documents described in items 4b and 4c, but may give less weight to such evidence.

- a. Copies of official documents or letters relating to the service to be established. These may consist of notices of appointment or separation; notices of changes in position, salary, organization, or headquarters; letters of commendation or reprimand; travel orders; payroll slips or records; identification credentials, etc.
- b. Private records such as a diary, correspondence, copies of income tax returns, employment applications, credit applications, etc., that mention or relate to the service to be established. Such private records must have been made during or shortly after the period of service.
- c. Any other documentary evidence tending to prove the service was actually performed and the beginning and ending date of service. Affidavits must be sworn to or affirmed before a notary public or other officer who is authorized by law to administer oaths.

NOTE: In addition to the documents listed in items 4a, 4b, and 4c above, the employee must also submit affidavits as described in items 4d and 4e below. Affidavits must be sworn to or affirmed before a notary public or other officer who is authorized by law to administer oaths.

- d. A sworn affidavit from the individual claiming the service setting forth as many of the following details as can be accurately remembered: beginning and ending dates of service; title of position held; name of employing agency; location of employment; salary rates; funds from which salary was paid; reason for leaving; and names (and current addresses, if known) of as many fellow employees as can be remembered, including supervisors.
- e. Sworn affidavits from at least two fellow employees having knowledge of the facts about the claimed Federal civilian service. In addition to swearing to as many of the facts mentioned in paragraph 4d as he or she can accurately remember, each fellow employee should give facts concerning his or her own employment during the period in question and any other information showing that he or she is in a position to know the facts and give his or her date of birth and mailing address.

NOTE: In the absence of sworn affidavits, unsworn statements (declaration) in the following form are equivalent to an affidavit:

- (1) If executed outside of the United States, its territories, possessions, or commonwealths: "I declare (or certify, verify, or state) under penalty

H. Verification by National Personnel Records Center (Cont.)

4. Forms of Secondary Evidence (Cont.)

of perjury under the laws of the United States of America that the foregoing is true and correct.
Executed on (date).

(Signature)".

- (2) If executed within the United States, its territories, possessions, or commonwealths: "I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.
Executed on (date).

(Signature)".

The essential elements of the unsworn statement are that it must be true **under penalty of perjury** under the laws of the United States, and it must be **dated and signed**.

- f. A report of earnings subject to OASDI deductions from the Social Security Administration, when it is necessary to show actual work to establish credit for service, that is, when the service is intermittent, or excess leave without pay may be involved. OPM does not have the authority to obtain this information directly from the Social Security Administration for this purpose; therefore, the claimant must initiate the request. This information, like any other documentation of earnings, does not constitute proof of a qualifying appointment.

5. Beginning and Ending Dates of Alleged Service To Be Established

It is not sufficient for an individual to show by secondary evidence that he or she did at one time work for the government. To receive credit for the service, the individual must establish the beginning and ending dates of such service. Secondary evidence that is indefinite as to when the service was rendered or evidence that vaguely fixes the dates of employment by association with remote events is not acceptable to establish the beginning and ending dates of the alleged service. However, if these dates can be ascertained within reasonable time limits of accuracy, credit for service can be allowed from the latest possible beginning date to the earliest possible ending date. For example, if a claimant establishes that he or she began work sometime in January and quit sometime in December, OPM will allow service from January 31 to December 1.

H. Verification by National Personnel Records Center (Cont.)**6. OPM Has Authority to Accept Secondary Evidence**

In general, only OPM is authorized to accept or reject affidavits and other secondary evidence that is submitted to verify alleged service or to ask for additional evidence in support of the allegation. If the employee's service can only be established by secondary evidence, he or she should complete SF 2803, Application to Make Deposit or Redeposit (for CSRS employees) or SF 3108, Application to Make Service Credit Payments for Civilian Service (for FERS employees). Agencies should assist employees as much as possible to assemble secondary evidence when official records are not available.

I. Specific Verification Instructions for Special Types of Service**1. U.S. Department of Agriculture**

The Secretary of the U.S. Department of Agriculture or his or her designee must certify --

- a. Service performed before July 10, 1960, as an employee of a county committee established under 16 U.S.C. 590h(b) or of a committee or an association of producers described by 7 U.S.C. 610(b).
- b. Service performed under a cooperative agreement between the USDA and a State entity.

Individuals who have performed such service should provide the appropriate identifying information to --

**Director
Office of Personnel
U.S. Department of Agriculture
Washington, DC 20250**

2. Substitute Teachers for D.C. Government

To verify service as a substitute teacher for the District of Columbia Government, send the appropriate identifying information to --

**Office of Financial Management
Pay and Retirement Division
410 E Street, NW.
Washington, DC 20001**

3. Periods of Imprisonment of a Foreign National

Service that will qualify for credit under this provision must be verified by the agency that employed the individual. For example, hostages employed at the U.S. Embassy during the Iranian hostage crisis must have certification from the U.S. Department of State in order to obtain credit for such service.

I. Specific Verification Instructions for Special Types of Service (Cont.)**4. Justices or Judges of the United States (28 U.S.C. 451)**

Verification of service as a justice or judge of the United States or as a judge of a court in a territory, and verification of such individual's entitlement to salary or annuity must be obtained from the Administrative Office of the U. S. Courts --

**Administrative Office of U.S. Courts
Human Resources Division
Judges Compensation and Benefit Branch
Suite 5-500
Washington, DC 20544**

5. House Beauty Shop and Washington Representative for Guam or for the Virgin Islands

Creditable service can be verified by contacting --

**Office of Finance
U.S. House of Representatives
Room 263, Cannon House Office Building
Washington, DC 20515**

6. Campaign and Congressional Committees

Creditable service for Senate Campaign and Senate Congressional Committees can be verified by contacting --

**U. S. Senate
Disbursing Office
Hart Senate Office Building
Room SH127
Washington, DC 20510-7104**

Creditable service for House Campaign and House Congressional Committees can be verified by contacting --

**Office of Finance
U.S. House of Representatives
Room 263, Cannon House Office Building
Washington, DC 20515**

I. Specific Verification Instructions for Special Types of Service (Cont.)**7. Natives of the Pribilof Islands**

In cases where certification has not been made, contact --

**United States Department of Commerce
National Oceanic and Atmospheric Administration
7600 Sand Point Way, NE.
Bin C 16700
Seattle, WA 98113**

8. Service as a Peace Corps or VISTA Volunteer

When requesting verification, the employee and/or agency must provide the following information:

- The full name of the individual at the time the service was performed;
- The individual's date of birth;
- The individual's Social Security number; and
- The approximate dates of employment.

Creditable service can be verified by contacting --

**Peace Corps of the USA
Room 6397
1990 K Street, NW.
Washington, DC 20526**

**AMERICORPS/VISTA
Room 9214C
1201 New York Ave, NW
Washington, DC 20525**

I. Specific Verification Instructions for Special Types of Service (Cont.)**9. Overseas Broadcasting Organizations**

An individual desiring credit for service with an overseas broadcasting organization should submit a written request that includes the full name used during the period of employment, date of birth, Social Security number, and the name and address of his or her current employing agency, to the successor to the broadcast agency with which he or she was employed. The broadcast agency will provide certification of the dates of service, salary or other compensation paid, number of days the individual worked per calendar year and whether the individual is entitled to benefits under a retirement system established for the broadcast organization. Send the request to the appropriate organization listed below.

- a. An individual desiring certification of broadcast service may submit a written request that includes the full name used during the period of employment, date of birth, Social Security number, and the name and address of the current employing agency, to the broadcast organization. The names and addresses of the appropriate contacts are listed below.
- b. Upon receipt of a written request from an individual, the broadcast or successor entity (in addition to providing the necessary information on dates of service, salaries or other compensation paid, and the number of days worked per calendar year) also provides information regarding certain conditions (conditions 1 and 2 are shown in 20A2.1-3C; condition 3 in 20A2.1-3C should not be addressed by the entities.)

To obtain verification of service, contact the appropriate organization at the following addresses.

- Service with Radio Free Europe and predecessors
Executive Director
Board for International Broadcasting
1201 Connecticut Avenue, NW., Suite 400
Washington, DC 20036
- Service with Asia Foundation and predecessors
Personnel Director
Asia Foundation
Post Office Box 3223
San Francisco, CA 94119
- Service with the Armed Forces Network (Europe)
Executive Assistant
American Forces Information Service
1735 N. Lynn Street
Arlington, VA 22209

I. Specific Verification Instructions for Special Types of Service (Cont.)**10. National Guard Technicians**

Verify all periods of service as a National Guard technician (service performed under section 709 of title 32 or any prior corresponding provision of law) by contacting the Adjutant General's office for the State National Guard unit with which the individual served. (See Chapter 22 for the addresses of the State Adjutants General.)

11. Nonappropriated Fund (NAF) Instrumentalities

When requesting verification, the employee and/or agency must provide the following information:

- The full name of the individual at the time the service was performed;
- The individual's date of birth;
- The individual's Social Security number;
- The name of the nonappropriated fund instrumentality; and
- The approximate dates of employment.
- Employee must document that he or she has no entitlement to NAF retirement benefits.

(In addition to obtaining verification of salary rates and dates of employment, individuals who separated from Army NAF facilities after 1965 and from Navy NAF facilities after 1961, must obtain confirmation that they are not entitled to receive retirement benefits based on the service to be credited under CSRS or FERS from the respective NAF retirement plans.) OPM will make the determination as to whether the service is creditable or not.

Service verification can be requested from the addresses shown below --

- Some NAF service has proven difficult to verify. If records are available, you may contact:

**National Personnel Records Center
(Civilian Personnel Records)
111 Winnebago Street
St. Louis, MO 63118**

I. Specific Verification Instructions for Special Types of Service (Cont.)**11. Nonappropriated Fund (NAF) Instrumentalities (Cont.)**

- In some cases, individuals who were employed by the Army (if separated from NAF service after 1965) or Navy (if separated from NAF service after 1961) may obtain verification of their service from NAF retirement plans for employees of those agencies. The addresses for these plans are:

**Department of the Army
U.S. Army Community and Family Support Center
Nonappropriated Funds Personnel Division
2461 Eisenhower Avenue
Alexandria, VA 22331-0523**

**Commander, Naval Military Personnel Center
Recreation Service Division
Code N-653
Washington, DC 20370-5110**

12. Japanese-American Employee Internment

To obtain verification of periods of internment, submit the individual's full name (in Japanese and English); the date of birth; name of the camp; and approximate dates of internment to the:

**National Archives and Records Administration (NARA)
Civil Reference Branch
Washington, DC 20408**

(202) 501-5395

If the individual obtains verification from the NARA, he or she must submit the original letter-of-verification. If the agency obtains the verification, it may include this information on the SF 2801 or on the SF 2806 and cite Public Law 95-382 as the authority.

Appendix B

Table of Creditable Service

This table summarizes rulings on retirement credit for service in specific agencies and organizations. (Where appropriate, reference is made to the relevant section of this chapter.) Because a particular type of service is not listed does not necessarily indicate that the service is not creditable.

AGENCIES AND ORGANIZATIONS	CREDITABLE
AIR FORCE, DEPARTMENT OF	
• Air Force Exchange Service (but see section 20A2.1-5)	No
• Air Force Motion Picture Service (but see section 20A2.1-5)	No
• Dependents' Schools (but see section 20A2.1-5)	No
ALASKA	
• Airway Observer	No
• Alaska Communication System	Yes
• Alaska Employment Service	No
• Alaska Home Guard (Territorial Guard)	No
• Alaska Housing Authority	No
• Alaska Indian Service	Yes
• Alaska Native Service	Yes
• Alaska Railroad	Yes
• Alaska Road Commission (formerly the Alaska Engineering Commission)	Yes
• Alaska Rural Rehabilitation Corporation	No
• Tanana Valley Railroad	No
• Teacher, Territory Schools	No
• Teacher, Vocational Education in Alaska	No
• Territorial Government	No
AMERICAN BATTLE MONUMENTS COMMISSION	
• Alien employees during German occupation of France	Yes
• Employees in European Office	Yes
AMERICAN MILITARY GOVERNMENT TEAM (JAPAN)	Yes
AMERICAN NATIONAL RED CROSS	No
AMERICAN RELIEF ADMINISTRATION	Yes
ANGLO-AMERICAN CARIBBEAN COMMISSION	No
AGENCIES AND ORGANIZATIONS	CREDITABLE
ARCHITECT OF THE CAPITOL AND BOTANIC GARDEN, OFFICE OF	Yes

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ARMY, DEPARTMENT OF

- Army Exchange (but see section 20A2.1-5) No
- Field Clerk Yes
- Historical Division Yes
- Panama Railroad Company Yes
- U.S. Military Academy Yes
 - Army Athletic Association No
 - (unless paid from appropriated funds, but see section 20A2.1-5)
 - Cadet Hostess No
 - Cadet Laundry Yes
 - Cadet Store Yes
 - Chaplains Yes
 - Hotel Thayer No
 - (Paid from nonappropriated funds. If regularly appointed, and paid from appropriated funds, service is creditable.)
 - Post School No
 - (Paid from nonappropriated funds. If regularly appointed, and paid from appropriated funds, service is creditable.)
- Women's Air Service Pilots (WASPS) Yes
- Women's Army Auxiliary Corps Yes
 - (See section 20A2.2-14, paragraph B.) (Prior to August 12, 1943, after that date, creditable as military service.)

ARMY-NAVY ELECTRONICS PRODUCTION AGENCY Yes

CANAL ZONE GOVERNMENT (abolished 1979) Yes

CIVIL AIR PATROL No

CIVILIAN PUBLIC SERVICE

- Conscientious objectors No

COMMERCE, DEPARTMENT OF

- Bureau of Standards Yes
 - Research Associate No
- Census Bureau Yes
 - Enumerators Yes
 - (A January 1, 1971, Executive Order covered these temporary Census employees as well as Post Office employees (temporary census-taking employees from January 1, 1955, until January 1, 1971, were not covered.)

AGENCIES AND ORGANIZATIONS**CREDITABLE**

COMMERCE, DEPARTMENT OF (CONT.)

- Special Agents
 - Regularly appointed paid on per diem or other time basis Yes
 - Special Population Census Yes
- Inland Waterways Corporation
 - Warrior River Terminal Company Yes
 - (Federal Barge Lines)

-- Textile Foundation	Yes
-- Weather Bureau	
- Airway observers, fee basis (no regular tour of duty)	No
- Airway observers, per diem or WAE basis	Yes
- Cooperative observer without compensation	No
- Corn and Wheat Region Observer, without compensation	No
- Emergency Assistant, appointed under letters of authority by Chief, Weather Bureau	Yes
- Storm Warning Displayman or Observer, without compensation	No
COMMISSION ON INDUSTRIAL RELATIONS	Yes
COMMISSION OF MIGRATORY LABOR, PRESIDENT'S	Yes
CORPORATIONS (See section 20A2 for requirements.)	
• Alaska Rural Rehabilitation Corporation	No
• American International Shipbuilding Corporation	No
• Commodity Credit Corporation (USDA)	Yes
• Defense Relocation Corporations (State service)	No
• Depositors Liquidation Corporation	No
• Farmer's Home Corporation (USDA)	Yes
• Federal Crop Insurance Corporation (USDA)	Yes
• Federal Deposit Insurance Corporation	
-- Associate Liquidator	Yes
-- Employees of receivers	Yes
• Federal Farm Mortgage Corporation (USDA)	Yes
• Federal Subsistence Homestead Corporation (DOI)	Yes
• Federal Surplus Commodities Corporation (USDA)	Yes
• Government Service, Inc.	No
• Greenmont Mutual Housing Corporation (NHA)	No
• Home Owners Loan Corporation (NHA)	Yes
• Joint Stock Land Banks	No
-- Employees of receivers of	Yes

AGENCIES AND ORGANIZATIONS**CREDITABLE****CORPORATIONS (CONT.)**

• Legal Services Corporation	
-- Members of the Board	No
-- Officers and Employees	Yes
• Merchant Fleet Corporation	Yes
• National Training School for Boys, Inc.	Yes
• Panama Canal Company	Yes
• Panama Pacific International Exposition Company	Yes
-- Performing government work and paid out of funds Government received for service	Yes
• Panama Railroad Company	Yes

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- Pan American Sanitary Bureau Yes
- Pennsylvania Avenue Development Corporation Yes
- Petroleum Reserves Corporation Yes
- Prencinradio, Inc. Yes
- Puerto Rico Cement Corporation No
- Reconstruction Finance Corporation Yes
(was under Federal Loan Agency)
- Colonial Mica Corporation Yes
- Cooper Recovery Corporation Yes
- Defense Homes Corporation Yes
- Defense Supplies Corporation Yes
- Disaster Loan Corporation Yes
- Electric Home and Farm Authority Yes
- Metals Reserve Company Yes
- Reconstruction Finance Corporation Mortgage Company Yes
- Rubber Reserve Company Yes
- Steel Recovery Corporation Yes
- War Damage Corporation Yes
- War Materials, Inc. Yes
- Regional Agricultural Credit Corporation Yes
- Rural Rehabilitation Corporation, from July 1, 1935 Yes
- Rural Telephone Bank (RTB) from May 7, 1971 to June 30, 1985 Yes
(Public Law 92-12, May 7, 1971, created **RTB** and provided for changes in corporate structure after June 30, 1985. For information on creditability of service with **RTB** after June 30, 1985, the agency Retirement Counselor should contact the Office of Retirement and Insurance Service at OPM.)
- Russian Railway Service Corps Yes

AGENCIES AND ORGANIZATIONS

CREDITABLE

CORPORATIONS (CONT.)

- Smaller War Plants Corporation Yes
- South Pacific Commission (International organization) No
- United Seamen's Service, Inc. No
- United States Enrichment Corporation No
- United States Grain Corporation Yes
- United States Housing Corporation (NHA) Yes
- United States Spruce Production Corporation Yes
- Virgin Islands Company (DOI) Yes
- War Finance Corporation (DOT) Yes

COURTS, U.S.

- Administrative Office Yes
- Bailiffs Yes
- Bankruptcy Judges (formerly Referees in Bankruptcy) Yes
- Clerk to Master in Chancery Yes
- Clerk Yes
- Conciliation Commissioner (fee basis) No
- Customs Court, U.S. Yes
- District Court for Panama, U.S. Yes
- District Court, U.S.
 - Clerks Yes
 - Commissioners on fee basis No
(Service is creditable if the individual later comes under the Retirement Act while serving as Commissioner.)
 - Deputy marshal (unless paid on fee basis) Yes
(Service is creditable if the individual later comes under the Retirement Act while serving as Commissioner.)
 - Field deputy marshals on fee basis No
 - Marshals Yes
 - Probation officer, assistants, and employees Yes
- Federal conciliator No
- Jurors (fee basis) No
- Jury Commissioners (fee basis) No
- Military Appeals Court Judge Yes
- Page, U.S. Supreme Court Yes
- Receiver in Bankruptcy No
- Referees in Bankruptcy Yes
(unless retired prior to June 28, 1946)
 - Employees of Yes
- Tax Court Judge Yes
- Trustee in Bankruptcy No

AGENCIES AND ORGANIZATIONS

CREDITABLE

- DEPOSIT INSURANCE NATIONAL BANK OF BRADFORD, PA Yes

DISTRICT OF COLUMBIA GOVERNMENT (if first employed by

D. C. Government before October 1, 1987)

- Board of Barber Examiners Yes
- Board of Cosmetology Yes
- Boxing Commission Yes
- Charwoman Yes
- Commission on Licensure Yes
- Community Center and Playgrounds Department Yes
- Department of Food Services Yes
- Draft Board
 - Service paid per induction or per questioner No
 - Other paid service with Board Yes
- Examining and Licensing Boards and Commissions Yes
- Firemen Yes
- Judges, Municipal, and Juvenile Court Yes
- Librarian Yes
 - Page, Library Yes
- National Training School for Girls Yes
- Nurses Examining Board Yes
- Police Matron Yes
- Policemen Yes
- Real Estate Commission Yes
- School survey Yes
- Student Nurse Yes
- Substitute attendance officers, public schools Yes
(unless the employee has coverage under another retirement system)
- Substitute teachers, public schools Yes
(unless the employee has coverage under another retirement system)
- Teachers (except substitutes) in public schools Yes
(transferred to D.C. Teachers Retirement system by Public Law 92-518, effective November 1, 1972, creditable if no entitlement to benefits under another retirement system for Federal employees)
- War Camp Community Service No
- **D.C. Government employees first hired on or after October 1, 1987** No

AGENCIES AND ORGANIZATIONS	CREDITABLE
ECONOMIC COOPERATION ADMINISTRATION	Yes
EMPLOYMENT SERVICE, U.S.	
• Employees separated from rolls to serve appointment with American Youth Commission and later reinstated to Employment Service	Yes
• National Reemployment Service	Yes
• Special Agent at nominal compensation (except service with Federal Security Agency from January 1, 1942, through November 15, 1946)	No
EXPORT-IMPORT BANK OF WASHINGTON (name changed to Export-Import Bank of the United States in 1968)	Yes
FARM CREDIT ADMINISTRATION	
• Bank for Cooperatives (Creditable to December 31, 1959. After that date, creditable only if employee is subject to provisions of Chapter 83 of title 5 of the U.S. Code)	Yes
• Emergency Crop and Feed Loan Division	Yes
• Field Clerk	Yes
• Federal Intermediate Credit Banks (Creditable to December 31, 1959. After that date, creditable only if employee is subject to provisions of Chapter 83 of title 5 of the U.S. Code.)	Yes
• Federal Land Banks (Creditable to December 31, 1959. After that date, creditable only if employee is subject to provisions of Chapter 83 of title 5 of the U.S. Code.)	Yes
FEDERAL CITY COLLEGE	
• Educational Employees and Officers (Generally covered by TIAA-CREF, but see section 20B2.1-2B on crediting service under other retirement systems.)	No
• Non-educational Employees	Yes
FEDERAL RESERVE SYSTEM	
• Federal Reserve Bank (Not Government-owned corporation)	No
• Federal Reserve System, members and employees of Board of Governors	Yes

AGENCIES AND ORGANIZATIONS	CREDITABLE
FOREIGN ECONOMIC ASSISTANCE ADMINISTRATION	
• Cargoes, Incorporated	Yes
• Petroleum Reserves Corporation	Yes
• Rubber Development Corporation	Yes
• U.S. Commercial Company	Yes
FRANKLIN ROOSEVELT LIBRARY (part of GSA from 1963 to present)	Yes
FREEDMAN'S HOSPITAL (Service creditable only to September 21, 1961, unless continued under Retirement Act by continuity (Public Law 87-262) -- under Federal Security Agency, then transferred to HEW.)	Yes
GALLAUDET UNIVERSITY (formerly Columbia Institute for the Deaf)	Yes
GUAM (Representative is creditable)	
• Civil Affairs	No
• Civilian Government	No
• Government of Guam	No
• Naval Government of Guam	No
• Naval Military Government of Guam	No
HOWARD UNIVERSITY (Washington, DC)	No
INSTITUTE OF INTER-AMERICAN AFFAIRS (Transferred to Foreign Operations Administration in 1953 (abolished 1955), functions transferred to State and Defense.)	Yes
INSTITUTE OF INTER-AMERICAN TRANSPORTATION	Yes
INTERALLIED RHINELAND HIGH COMMAND (American Section only)	Yes
INTER-AMERICAN EDUCATIONAL FOUNDATION, INC.	Yes

AGENCIES AND ORGANIZATIONS

CREDITABLE

INTERIOR, DEPARTMENT OF THE

- Deputy Game Warden on per diem or other salary basis Yes
- Without compensation No
- Fish and Wildlife Service cooperative employee
- Hunters Yes
- Indian Service
- Direct employee of Indian Tribe No
- Contract physicians Yes
- Teacher, Five Civilized Tribes No
- Teacher, Indian Education Programs Yes
- Public Buildings and Grounds
- Welfare and Recreation Association, Inc. No

INTERSTATE COMMERCE COMMISSION

- Inspector of Locomotives Yes
- Clerk to Inspector Yes
- Employees of Inspector of Locomotives Yes

ISTHMIAN CANAL COMMISSION

Yes

JUSTICE, DEPARTMENT OF

- Court for China Yes
- Federal Bureau of Investigation
- Special Agent Yes
- Interpreter/Translators Yes
- Federal Prison Industries, Inc. Yes
- U.S. Deputy Marshal (except on fee basis) Yes
- U.S. District Attorneys Yes
- U.S. Magistrate, after October 17, 1968
- (All part-time Magistrates receive full-time credit.) Yes
- U.S. Marshals (except on fee basis) Yes
- Jail Physician Yes

AGENCIES AND ORGANIZATIONS	CREDITABLE
LEGISLATIVE	
• Barber (Senate)	No
• Resident Commissioner (House of Representatives)	Yes
• Clerks to Committees of Congress	Yes
• Clerks to Members of House of Representatives (For service subsequent to June 30, 1919, it must be shown that clerk was officially designated and name placed upon roll of legislative employees of the House of Representatives.)	Yes
• Clerks to Senators (from July 1, 1896, if appropriated for such)	Yes
• Folding Room Employees (House) Page	Yes
• Members of Congress (Senators, Representatives, Delegates, Resident Commissioners)	Yes
• Reporter of Debates (Official) in Senate and their employees (Act of June 21, 1947 (Public Law 80-95))	Yes
• U.S. Capitol, House and Senate Restaurant employees (Service is not creditable from August 1, 1947, to July 31, 1961, when restaurant was operated by a private concern under contract.)	Yes
LIBRARY OF CONGRESS	
• Director in Spain for European Mission	Yes
• Gift Fund employee	Yes
• Sunday and Holiday employee (WAE)	Yes
MISSIONS	
• American Mission for Aid to Greece	Yes
• American Mission for Aid to Turkey	Yes
• China Relief Mission	Yes
MUTUAL SECURITY ADMINISTRATION	Yes
NATIONAL ACADEMY OF SCIENCES	No
NATIONAL CAPITAL SESQUICENTENNIAL COMMISSION	Yes
NATIONAL COMMITTEE ON LAW OBSERVANCE AND LAW ENFORCEMENT	Yes
NATIONAL FARM LOAN ASSOCIATION	No

AGENCIES AND ORGANIZATIONS	CREDITABLE
NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS	Yes
NATIONAL HOUSING AGENCY	
• Federal Home Loan Bank Administration	Yes
• Federal Home Loan Banks	No
• Federal Public Housing Authority	Yes
NATIONAL INSTITUTE OF PUBLIC AFFAIRS	No
• Certain Interns in Federal agencies	Yes
NATIONAL LIBRARY FOR THE BLIND	Yes
NATIONAL REEMPLOYMENT SERVICE	Yes
NATIONAL ZOOLOGICAL PARK (keeper)	Yes
NAVAL SHIPYARD, BOARD OF SURVEY, APPRAISAL AND SALES, Philadelphia	Yes
NAVY, DEPARTMENT OF	
• Dependents' Schools	Yes
• Instructors, Intermediate School of Truk	Yes
• Marine Corps Exchange	No
• Navy Exchange	No
• Navy Ship's Stores Ashore	Yes
• Ship's Service Activities	Yes
• U.S. Naval Academy	
-- Athletic Association	Yes
-- Dairy	No
-- Midshipmen's Barber Shop	Yes
-- Midshipmen's Cobbler Shop	Yes
-- Midshipmen's Commissary	Yes
-- Midshipmen's Laundry	Yes
-- Midshipmen's Mess	Yes
-- Midshipmen's Store	Yes
-- Midshipmen's Tailor Shop	Yes
NEW YORK WORLD'S FAIR, U.S. COMMISSION	
• Commissioner	Yes
• Employee	Yes

AGENCIES AND ORGANIZATIONS**CREDITABLE**

OFFICE OF PRICE ADMINISTRATOR (Consolidated in 1946 with Office of Temporary Controls that was terminated in 1947.)

- War Price and Rationing Boards
 - Indefinite employee working full time at annual salary Yes
 - Volunteer workers No

PANAMA CANAL

- Teacher, subject to call (less excess leave periods) Yes

PEACE CORPS

Yes

(See section 20A2.1-2 for requirements.)

POSTAL SERVICE, U.S.

- Charworker Yes
- Cleaner (through February 2, 1962) Yes
- Clerks
 - Fourth-class post office (employee of Postmaster) No
 - Fourth-class substituting for Postmaster on leave; service since July 22, 1947 Yes
 - Honolulu, Hawaii, post office, postal clerks since August 12, 1898 Yes
 - Substitute Railway Mail Yes
 - Temporary Substitute Yes
 - Third-class post offices, if paid from appropriated funds Yes
- Contract Stations No
- Contract Mail Messenger No
- Janitor Yes
- Job cleaners (service through February 2, 1962) Yes
 - Contract job cleaners on and after February 3, 1962 No
- Postmaster (all classes) Yes
 - Acting Yes
 - Assistant
 - First class post offices Yes
 - Second class post offices Yes
 - Third class post offices Yes
 - Fourth class post office (employee of Postmaster) No
- Seasonal Yes
- Rural Carrier
 - Auxiliary Yes
 - Substitute Yes
 - Temporary Yes
 - Temporary Substitute Yes

AGENCIES AND ORGANIZATIONS	CREDITABLE
POSTAL SERVICE, U.S. (CONT.)	
• Special Delivery Messenger	
-- First class post offices only	Yes
-- Outside first class post offices (Contract employees; designated as working for postmaster rather than department)	No
• Star Route Carrier (Retirement credit not allowed unless individual performed duties involving primarily protection of U.S. interests.)	No
• Substitute City Carrier	Yes
• Substitute Village Carrier	Yes
• Temporary Christmas employees	Yes
• Temporary Substitutes	Yes
• Telephone operator (contract service)	No
PRESIDENTIAL TRANSITION ACT	
• Employees appointed under (see Public Law 100-238)	Yes
PUERTO RICAN HURRICANE RELIEF COMMISSION	Yes
PUERTO RICO, PRESIDENT'S ADVISORY COMMITTEE ON THE RELATION OF FEDERAL LAWS TO	Yes
PUERTO RICO RECONSTRUCTION ADMINISTRATION	Yes
READING ASSISTANT FOR THE BLIND EMPLOYEE (if substantially full-time service)	Yes
REPARATION COMMISSION, U.S. DELEGATION (Retirement credit not allowed unless individual performed duties involving primarily protection of U.S. interests.)	No
REPUBLICAN CAMPAIGN COMMITTEES (See section 20A2.1-8 for requirements.)	
• Senatorial Campaign Committee	Yes
• National Congressional Committee	Yes
SELECTIVE SERVICE SYSTEM	
• Employee of Draft Board (compensated service only)	Yes
• Examining Physician (not on fee basis)	Yes
• Local Boards (compensated)	
-- Associate member, Legal Advisory Board	No
-- Government Appeal Agent	No
-- Member, Medical Advisory Board	Yes

AGENCIES AND ORGANIZATIONS	CREDITABLE
SELECTIVE SERVICE SYSTEM (CONT.)	
• Member of Draft Board (compensated service only)	Yes
• Reemployment Committeeman	No
SMITHSONIAN INSTITUTION, Employees appointed by or under delegated authority of Board of Regents	Yes
ST. ELIZABETHS HOSPITAL (See Chapter 12 for requirements.)	Yes
TIMPANGOS CAVE NATIONAL MONUMENT	Yes
TREASURY, DEPARTMENT OF THE	
• Bureau of Narcotics (alien informer)	No
• Coast Guard, U.S.	Yes
-- Lamplighters	Yes
-- Surfman (temporary or substitute)	Yes
• Comptroller of the Currency, Office of	
-- Employees of receivers	Yes
-- Insolvent National Bank Division Clerks appointed by Federal officer	Yes
• Customs Service, U.S.	
-- Seasonal inspectors appointed from registers	Yes
• Office of Thrift Supervision	Yes
U.S. REVENUE CUTTER SERVICE	Yes
VETERANS' AFFAIRS, DEPARTMENT OF	
• Attorneys (all grades)	Yes
• Bureau of Medicine and Surgery	Yes
• Chaplains appointed under Schedule A	Yes
-- Substitute, regular tour of duty	Yes
• Homes, member and patient employees through December 12, 1962, only	Yes
• Hospitals, member and patient employees through December 8, 1962 only	Yes
• Veterans' Canteen Service	Yes
VISTA (See section 20A2.1-2 for requirements.)	Yes
WAR ASSETS ADMINISTRATION	Yes
WAR RISK INSURANCE, BUREAU OF	Yes
• Field examiners, fee basis	No

AGENCIES AND ORGANIZATIONS	CREDITABLE
WAR TRAINING SERVICE (formerly Civilian Pilot Training Program)	No
WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION	No
WHITE HOUSE CONFERENCE ON AGING, ADVISORY COMMISSION	Yes
WHITE HOUSE CONFERENCE ON CHILD HEALTH AND PROTECTION	No
WHITE HOUSE FELLOWS	Yes
WORLD COLUMBIAN COMMISSION	Yes
YOUTH OPPORTUNITY CAMPAIGN	Yes