

Public Law 96-391
96th Congress

An Act

Oct. 7, 1980

[H.R. 5410]

To amend title 5, United States Code, to require any Federal employee who elects at the time of retirement not to provide survivorship benefits for the employee's spouse to notify (or take all reasonable steps to notify) the spouse of that election.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8339(j) of title 5, United States Code, is amended by inserting "(1)" after "(j)" and by adding at the end thereof the following:

Federal
employee
retirement,
survivorship
benefits.

"(2) Any written notification (or designation) by any employee or Member under the first sentence of paragraph (1) shall not be considered valid unless the employee or Member establishes to the satisfaction of the Office (A) that the spouse has been notified of the loss of or reduction in survivor benefits or (B) that the employee or Member has complied with such notification requirements as the Office shall, by regulation, prescribe."

SEC. 2. The last sentence of section 12(b) of the Act of September 1, 1916, as amended (D.C. Code, sec. 4-522), is amended to read as follows: "Any member of the United States Secret Service Division appointed from the Executive Protective Service, or appointed from the Metropolitan Police force prior to January 1, 1972, and assigned to duties directly related to the protection of the President shall receive credit for periods of prior service with the Metropolitan Police force, the United States Park Police force, or the Executive Protective Service toward the required ten years or more service."

SEC. 3. The amendments made by the first section of this Act shall take effect with respect to notifications and designations made under the first sentence of section 8339(j) of title 5, United States Code, on or after the ninetieth day after the date of the enactment of this Act.

5 USC 8339 note.

Approved October 7, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-850 (Comm. on Post Office and Civil Service).
SENATE REPORT No. 96-903 (Comm. on Governmental Affairs).
CONGRESSIONAL RECORD, Vol. 126 (1980):
Mar. 31, Apr. 1, considered and passed House.
Aug. 27, considered and passed Senate, amended.
Sept. 25, House concurred in Senate amendments.