

104TH CONGRESS  
2D SESSION

# H. R. 2858

To amend chapters 83 and 84 of title 5, United States Code, to provide that any survivor annuity for a child that terminates by reason of such child marrying shall resume, absent any other disqualifying event or condition, if and when that marriage ends.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1996

Mr. SMITH of New Jersey introduced the following bill; which was referred to the Committee on Government Reform and Oversight

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## A BILL

To amend chapters 83 and 84 of title 5, United States Code, to provide that any survivor annuity for a child that terminates by reason of such child marrying shall resume, absent any other disqualifying event or condition, if and when that marriage ends.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AMENDMENTS.**

4 (a) CIVIL SERVICE RETIREMENT SYSTEM.—Section  
5 8341(e) of title 5, United States Code, is amended by add-  
6 ing at the end the following:

1       “(4) If the annuity of a child under this subchapter  
2 terminates under paragraph (3)(E) because of marriage,  
3 then, if such marriage ends, such annuity shall resume  
4 on the first day of the month in which it ends, but only  
5 if—

6               “(A) any lump sum paid is returned to the  
7 Fund; and

8               “(B) that individual is not otherwise ineligible  
9 for such annuity.”.

10       (b) FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.—

11 Section 8443(b) of such title is amended by adding at the  
12 end the following: “If the annuity of a child under this  
13 subchapter terminates under subparagraph (E) because of  
14 marriage, then, if such marriage ends, such annuity shall  
15 resume on the first day of the month in which it ends,  
16 but only if any lump sum paid is returned to the Fund,  
17 and that individual is not otherwise ineligible for such an-  
18 nuity.”.

19 **SEC. 2. APPLICABILITY.**

20       The amendments made by section 1 shall apply with  
21 respect to any termination of marriage taking effect on  
22 or after November 1, 1993, except that any recomputation  
23 of benefits shall be payable only with respect to amounts

1 accruing for periods beginning on or after the date of the  
2 enactment of this Act.

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