

Agency who have completed at least 5 years of qualifying service. For purposes of this chapter, qualifying service is service in the Agency performed in carrying out duties that are determined by the Director—

- (1) to be in support of Agency activities abroad hazardous to life or health; or
- (2) to be so specialized because of security requirements as to be clearly distinguishable from normal government employment.

(c) Election of employee to be participant

(1) Permanence of election

An employee of the Agency who elects to accept designation as a participant in the system shall remain a participant of the system for the duration of that individual's employment with the Agency.

(2) Irrevocability of election

Such an election shall be irrevocable except as and to the extent provided in section 2151(d) of this title.

(3) Election not subject to approval

An election under this section is not subject to review or approval by the Director.

(Pub. L. 88-643, title II, §203, as added Pub. L. 102-496, title VIII, §802, Oct. 24, 1992, 106 Stat. 3202.)

PRIOR PROVISIONS

A prior section 203 of Pub. L. 88-643, title II, Oct. 13, 1964, 78 Stat. 1044; Pub. L. 102-88, title III, §303, Aug. 14, 1991, 105 Stat. 431, related to participants in the system and was set out as a note under section 403 of this title prior to the general amendment of Pub. L. 88-643 by section 802 of Pub. L. 102-496.

§ 2014. Annuitants

Persons who are annuitants under the system are—

- (1) those persons who, on the basis of their service in the Agency, have met all requirements for an annuity under this subchapter or any other Act and are receiving an annuity from the fund; and
- (2) those persons who, on the basis of someone else's service, meet all the requirements under this subchapter or any other Act for an annuity payable from the fund.

(Pub. L. 88-643, title II, §204, as added Pub. L. 102-496, title VIII, §802, Oct. 24, 1992, 106 Stat. 3202.)

PRIOR PROVISIONS

A prior section 204 of Pub. L. 88-643, title II, Oct. 13, 1964, 78 Stat. 1044; Pub. L. 91-626, §1, Dec. 31, 1970, 84 Stat. 1872; Pub. L. 94-552, title II, §201, Oct. 17, 1976, 90 Stat. 2468; Pub. L. 97-269, title VI, §602, Sept. 27, 1982, 96 Stat. 1145; Pub. L. 99-335, title V, §501(2), June 6, 1986, 100 Stat. 622; Pub. L. 102-88, title III, §302, Aug. 14, 1991, 105 Stat. 431; Pub. L. 102-183, title III, §§302(c), 310(a), Dec. 4, 1991, 105 Stat. 1263, 1266, related to annuitants under the system and was set out as a note under section 403 of this title prior to the general amendment of Pub. L. 88-643 by section 802 of Pub. L. 102-496.

PART B—CONTRIBUTIONS

§ 2021. Contributions to fund

(a) In general

(1) Definition

In this subsection, the term "revised annuity participant" means an individual who—

(A) on December 31, 2012—

- (i) is not a participant;
- (ii) is not performing qualifying service; and
- (iii) has less than 5 years of qualifying service; and

(B) after December 31, 2012, becomes a participant performing qualifying service.

(2) Contributions

(A) In general

Except as provided in subsection (d), 7 percent of the basic pay received by a participant other than a revised annuity participant for any pay period shall be deducted and withheld from the pay of that participant and contributed to the fund.

(B) Revised annuity participants

Except as provided in subsection (d), 9.3 percent of the basic pay received by a revised annuity participant for any pay period shall be deducted and withheld from the pay of that revised annuity participant and contributed to the fund.

(3) Agency contributions

(A) In general

An amount equal to 7 percent of the basic pay received by a participant other than a revised annuity participant shall be contributed to the fund for a pay period for the participant from the appropriation or fund which is used for payment of the participant's basic pay.

(B) Revised annuity participants

An amount equal to 4.7 percent of the basic pay received by a revised annuity participant shall be contributed to the fund for a pay period for the revised annuity participant from the appropriation or fund which is used for payment of the revised annuity participant's basic pay.

(4) Deposits to the fund

The amounts deducted and withheld from basic pay, together with the amounts so contributed from the appropriation or fund, shall be deposited by the Director to the credit of the fund.

(b) Consent of participant to deductions from pay

Each participant shall be deemed to consent and agree to such deductions from basic pay, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all regular services during the period covered by such payment, except the right to the benefits to which the participant is entitled under this subchapter, notwithstanding any law, rule, or regulation affecting the individual's pay.

(c) Treatment of contributions after 35 years of service

(1) Accrual of interest

Amounts deducted and withheld from the basic pay of a participant under this section for pay periods after the first day of the first pay period beginning after the day on which