

and or District of Columbia Governments that he might have had. Of course that service would not be counted at the higher judicial rates, but only at the rates that he would be allowed to compute it as under the Civil Service Retirement Act. That is, the part of the annuity for the Federal service would be computed in accordance with title 5, section 8339, D.C. Code, using the salary of the judge as his average pay for such purpose.

FEDERAL DISTRICT JUDGES

Mr. WHITENER. Let me ask you this: As to the U.S. District judges, under their retirement system, do they have the right to tack on congressional, military or other Government service?

Judge GREENE. No, Mr. Chairman, they do not. They do not need to tack it on because their retirement system is so far superior and so far more liberal than anything that we even can conceive of that anything like that would be superfluous. The Federal District judge or the Federal judge of the Court of Appeals may retire after 15 years of service with full pay. They do not contribute to their retirement systems as the judges do in our courts and as do all of the other Federal servants. That is, we contribute the same 6½ percent of our pay check every two weeks as do civil servants, congressional employees and Members of Congress. Federal judges do not contribute. Their system is entirely noncontributory. As I say, they can retire after 15 years of full pay and they can retire on disability after one day of service at half pay. So that on any comparison with our system, obviously, the Federal Court Retirement Act is far superior.

What we are trying to do is to bring our judicial retirement system more or less in line with other contributory retirement systems. For example, Mr. Chairman, a member of Congress might have had prior civil service or military service and he is eligible to retire, may count for the purposes of annuity that prior service.

Mr. WHITENER. If he pays in?

Judge GREENE. If he pays in. This bill would provide that of course if the judges wanted to count that prior service, would also have to pay in.

EXAMPLES

Mr. WHITENER. Let's take Judge Halleck as an example. Let's use Judge McIntyre as another example. Judge Hyde had six years of congressional service. I believe that Judge McIntyre probably had 15 years as a staff aide here on Capitol Hill with the Senate District Committee.

Now, under this proposal, Judge Hyde would get credit for his six years of congressional service, assuming that he had paid into the congressional retirement fund and left the money in; is that right?

Judge HYDE. That is right.

Mr. WHITENER. Suppose Judge Hyde, when you left Congress you had reclaimed what you had paid in on the retirement program, how, then, would your proposal work when you retire?

Judge GREENE. Under this bill, Mr. Chairman, if I may, what he would have to do, he would have to pay into the Judicial Retirement fund the amount that would be required to pay a sum equal to 3½ per centum of the salary receivable for his civilian service.