

or resigning from that service he became disabled, he would be entitled to annuity at that very minute. But if he is appointed to the bench and becomes disabled one year later, he would be entitled to no annuity whatever, because the service under the Civil Service Retirement Act and the service under the Judicial Retirement Act may not be added up together. This division of retirement systems really works a considerable hardship on those who are appointed to the bench and who subsequently, for one reason or another, retire on disability or because they are not reappointed or because they simply retire.

But our proposal would do, or what really the bill 15678 would do would be to join together these various systems and permit them, with the various years of Federal service, including judicial service, to be added up together, civil service, congressional service and military service for specific purposes. The civilian service would be computed in accordance with the proposed statute.

MILITARY SERVICE

Mr. WHITENER. Let's take another example and see how it works now. As a Member of Congress—as of this term I will have served 12 years—I have had 38 months of active military duty in World War II. I paid nothing into any retirement fund as a member of the military during the war, but as a member of the Congressional Retirement Fund or the Civil Service Retirement Fund, if I were in Mr. Moyers' situation, I get the 38 months added even though I paid nothing in.

Now, let's take me as an example. Now, and I go on to the Court of General Sessions on this proposed retirement plan. I serve my 10 years or my 20 years. Do I then, under this bill, get credit for that 38 months of military service where I paid nothing?

Judge GREENE. Yes, sir, Mr. Chairman. You would just as you would if you retired under the congressional retirement system or the civil service retirement system.

Mr. WHITENER. Let's take another example. Suppose instead of being a reservist I had gone into the military service upon graduation from law school and served the 20 years or whatever is required for military retirement. Under these proposals, assuming I had 20 years of honorable service in the legal branch of one of the branches of the service, then I would start out with 20 years military service, which at the end of 10 years judicial service would give me 30 years of retirement; is that right?

Judge GREENE. Well, Mr. Chairman, I can't answer it exactly, because I am not entirely certain as to what the effect of that 20 years of military service would be under the Civil Service Retirement Act. This bill provides that military service will be continued to the same extent and to the same number of years as it would be under the Civil Service Retirement Act.

Mr. WHITENER. Maybe we had better go to some of the civil service retirement acts first.

Judge HYDE. I am not an expert, Mr. Chairman. I think, just like the congressional service, the maximum of five years that you get in the military service.

Mr. WHITENER. Mr. Eaton, how about that? Do you know anything about that?