

RELEASE IN FULL

From: Mills, Cheryl D <MillsCD@state.gov>
Sent: Wednesday, September 23, 2009 9:59 PM
To: H
Subject: Fw: Mandatory Retirement provisions of the Foreign Service Act

Fyi

From: Kennedy, Patrick F
To: Mills, Cheryl D
Sent: Wed Sep 23 21:54:10 2009
Subject: Mandatory Retirement provisions of the Foreign Service Act

22 USC

§ 4052. Mandatory retirement

(a)

(1) Except as provided in subsection (b) of this section, any participant shall be retired from the Service at the end of the month in which the participant has reached age 65 and has at least 5 years of service credit toward retirement under the System (excluding military and naval service), and shall receive retirement benefits in accordance with section 4046 of this title.

(2) [TEXT RELATED TO LAW ENFORCEMENT OMMITTED]

(b)

(1) Any participant who is otherwise required to retire under subsection (a) of this section while occupying a position to which he or she was appointed by the President, by and with the advice and consent of the Senate, may continue to serve until that appointment is terminated.

(2) Whenever the Secretary determines it to be in the public interest, any participant who is otherwise required to retire under subsection (a) of this section may be retained on active service for a period not to exceed 5 years.

(3) Any participant who completes a period of service authorized by this subsection shall be retired at the end of the month in which such authorized service is completed.