

(vii) A deferred annuity under FERS as set forth in §842.212 of this chapter;

(viii) A survivor annuity under FERS based on the death in service of an employee with at least 10 years of service as set forth in §843.310 of this chapter, but only if the survivor is entitled to the basic employee death benefit described in §843.309 of this chapter;

(ix) A disability retirement under FERS as set forth in subchapter V of chapter 84 of title 5 United States Code;

(x) A firefighter or law enforcement annuity under FERS as set forth in §842.208 of this chapter, but only to the extent that the service was as a law enforcement officer or firefighter as described in §842.809(b) of this chapter;

(xi) An air traffic controller annuity under FERS as set forth in §842.207 of this chapter, but only to the extent that the service was as an air traffic controller as described in §842.809(a) of this chapter;

(3) The computation of benefits under §846.304(b); and

(4) The computation of average salary under §846.304(d).

§ 846.303 Crediting military service.

(a) Military service performed before the effective date of the election under §846.201 creditable as provided under FERS, except as provided in paragraphs (b) and (c) of this section.

(b) Military service described in paragraph (a) of this section which would be creditable under CSRS except for the provisions of §846.306 and performed by an individual who is subject to an annuity computation under §846.304(b) is creditable for—

(1) The minimum period for entitlement to an annuity under FERS based on—

(i) The immediate voluntary retirement provisions under §842.204 of this chapter;

(ii) The early retirement provisions under §842.205 of this chapter;

(iii) The involuntary retirement provisions under §842.206 of this chapter;

(iv) The Member retirement provisions under §842.209 of this chapter;

(v) The military reserve technician retirement provisions under §842.210 of this chapter;

(vi) The Senior Executive Service, Defense Intelligence Senior Executive Service, or the Senior Cryptological Executive Service retirement provisions under §842.211 of this chapter; or

(vii) The deferred retirement provisions under §842.212 of this chapter.

(2) Computation of benefits under §846.304(b).

(c) If the effective date of the election of FERS by an individual who is subject to annuity computation under §846.304(b) occurs when the individual is in non-pay status and is performing active military service, benefits for the military service performed before the effective date of the election are computed under CSRS, and benefits for the military service performed after the effective date are computed under FERS. The period of military service is considered to be two separate full periods of service, one ending the day before the effective date of FERS and one beginning on the effective date of FERS. The deposit for the period of service before the effective date of FERS coverage is computed under CSRS provisions set forth in part 831, subpart U of this chapter. The deposit for the period of service beginning on the effective date of FERS coverage is computed under FERS provisions set forth in part 842, subpart C of this chapter.

§ 846.304 Computing FERS annuities for persons with CSRS service.

(a)(1) The basic annuity of an employee who elected FERS coverage is an amount equal to the sum of the accrued benefits under CSRS as determined under paragraph (b) of this section and the accrued benefits under FERS as determined under paragraph (c) of this section.

(2) The computation method described in paragraph (a)(1) of this section is used in computing basic annuities under part 842, subpart D of this chapter, survivor annuities under part 843, subpart C of this chapter, and the basic annuities for disability retirement under subchapter V of chapter 84 of title 5 United States Code.

(3) An annuity computed under this paragraph is deemed to be the individual's annuity under FERS.

(b)(1) Except as provided in paragraphs (b)(2) and (b)(3) of this section