Public Law 108-469, signed into law December 21, 2004, eliminates TSP open seasons and the restrictions on contribution elections which are tied to open seasons. However, the law does not eliminate the waiting period that FERS employees must serve before they can begin to receive agency contributions. The Federal Retirement Thrift Investment Board will implement this law July 1, 2005. Consequently, beginning July 1, 2005, participants may make TSP contribution elections at any time. There will be one more TSP open season which will begin April 15 and end June 30, 2005. Eligibility to make TSP contribution elections will be subject to the current rules until the close of this final open season.

This bulletin discusses this statutory change and explains the actions agencies must take to implement it. On July 1, 2005, this bulletin will supersede TSP Bulletin 01-4, Participation in the Thrift Savings Plan, dated February 2, 2001.

I. Definitions

A. **Break in service** for TSP purposes is a separation from Federal service for more than 30 calendar days.

B. **CSRS** refers to the Civil Service Retirement System, including CSRS Offset, the Foreign Service Retirement and Disability System, and other equivalent Federal retirement systems.

*(Continued on next page)*
C. **Contribution election** is a request by an employee to start contributing to the TSP, to change the amount of contributions made to the TSP each pay period, or to terminate contributions to the TSP.

D. **FERS** refers to the Federal Employees’ Retirement System, the Foreign Service Pension System, and other equivalent Federal retirement systems.

II. **Eligibility**

All employees covered by FERS or CSRS are eligible to participate in the TSP, and they may make contribution elections. (See Section III.) However, employees covered by FERS must serve a waiting period before they can receive agency contributions to their TSP accounts. (See Section IV.)

Employees appointed to positions that are not covered by FERS or CSRS (e.g., a position covered by Social Security (FICA) only) are not eligible to participate in the TSP.

See the Appendix to this bulletin (Attachment 1) for more information about the TSP eligibility of reemployed annuitants, dual appointees, and employees who elect to transfer to FERS. Except as otherwise noted in the Appendix, these employees are subject to the same TSP rules as all other eligible employees.

III. **Opportunity to Make TSP Contribution Elections**

A. Beginning July 1, 2005, employees covered by FERS or CSRS may make contribution elections to start, change, stop, or resume TSP contributions at any time. Agencies must make a properly filed TSP contribution election effective no later than the first full pay period after it has been filed.¹

B. Until July 1, 2005, the current rules for making TSP contribution elections apply. These rules are described in Section III of TSP Bulletin 01-4. There will be one more TSP open season, April 15 through June 30, 2005, and elections made during this final open season must be processed as described in TSP Bulletin 01-4.

IV. **Required Waiting Period For Agency Contributions**

New FERS employees must serve the waiting period described in A below before they can receive agency contributions to their TSP accounts. FERS employees reappointed following a break in service must also serve the waiting period described in A if they had not been previously eligible to receive agency contributions.

¹ Participants who make in-service financial hardship withdrawals may not make TSP contributions for a six-month period following the withdrawal. Consequently, if such a participant elects to resume TSP contributions, the election cannot be effected for any pay date falling within the noncontribution period. See TSP Bulletin 03-14, dated July 9, 2003, for more information about this restriction.
FERS employees who had been previously eligible to receive agency contributions are immediately eligible for agency contributions upon their reappointment, as discussed in B below.

A. Not previously eligible to receive agency contributions

1. An employee appointed or reappointed to a position covered by FERS who had not been previously eligible to receive agency contributions becomes eligible to receive agency contributions as follows:
   a. If the effective date of the appointment is any day during the period June 1 through November 30, the agency contributions must begin the first full pay period of the following June;
   b. If the effective date of the appointment is any day during the period December 1 through May 31, the agency contributions must begin the first full pay period of the following December.

2. See the matrix on Attachment 2 for a delineation of appointment dates and the corresponding dates that such FERS employees become eligible for agency contributions.

B. Previously eligible to receive agency contributions

1. An employee reappointed to a position covered by FERS who was previously eligible to receive agency contributions is immediately eligible to receive agency contributions. The employee has served the required waiting period under his or her former appointment.

2. Example:

   Jane, who was previously eligible to receive agency contributions, is reappointed to a position covered by FERS effective July 3, 2005. Jane is immediately eligible to make a contribution election and to receive agency contributions to her account. Whether or not she makes a contribution election, her agency must begin making agency automatic (1%) contributions for the pay period that includes July 3, 2005.

V. Agency Responsibilities

Beginning July 1, 2005, agencies must take the actions described below. Until that date, agencies must continue to take the actions described in Section V of TSP Bulletin 01-4.
A. FERS appointments — not previously eligible to receive agency contributions

1. Determine when the employee will become eligible to receive agency contributions and take the agency’s internal action(s) to ensure that these contributions will begin on time.

2. Notify the employee of his or her eligibility to make a TSP contribution election. Attachment 3 to this bulletin is a sample letter that agencies may want to adapt to notify FERS employees who were not previously eligible for agency contributions of their TSP eligibility.

3. If the employee makes a contribution election, make it effective no later than the first full pay period after its receipt.
   (a) Submit an Employee Data Record (06-Record) to the TSP record keeper to establish the employee’s account. The employee’s status code should be “W.”
   (b) Begin submitting Current Payment Records (16-Records) to the record keeper to report employee contributions.

4. Begin reporting agency contributions on Current Payment Records as soon as the employee becomes eligible to receive agency contributions.
   (a) If the employee’s account has not been established (because the employee did not make a TSP contribution election), submit an Employee Data Record to establish the account. The employee’s status code should be “E.” In this case, the Current Payment Records will report agency automatic (1%) contributions only.
   (b) If the employee’s account is established (because the employee had already made a TSP contribution election), submit an Employee Data Record to reflect the employee’s new TSP status code (of “Y”) and TSP status date.

In this case, the Current Payment Records will report employee, agency matching, and agency automatic (1%) contributions. (If the employee has terminated his or her contributions, the Current Payment Records will report agency automatic (1%) contributions only, and the employee’s status code on the Employee Data Record should be “T.”)

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2 See Section VI of the bulletin for more information about TSP status codes.
B. FERS reappointments — previously eligible to receive agency contributions
   1. Submit an Employee Data Record to establish the employee’s account and begin submitting Current Payment Records (16-Records) to report agency automatic (1%) contributions. The employee’s status code should be “E.”
   2. Notify the employee of his or her eligibility to make a TSP contribution election. Agencies may adapt the letter in Attachment 4 to notify FERS employees who were previously eligible for agency contributions of their TSP eligibility.
   3. If the employee makes a contribution election, make it effective no later than the first full pay period after its receipt.
      (a) Submit an Employee Data Record to reflect the employee’s new TSP status code (“Y”) and TSP status date.
      (b) Begin submitting Current Payment Records to report employee, agency matching, and agency automatic (1%) contributions.

C. CSRS reappointments
   1. Notify the employee of his or her eligibility to make a TSP contribution election. Agencies may adapt the letter in Attachment 5 to notify rehired CSRS employees of their TSP eligibility.
   2. If the employee makes a contribution election, make it effective no later than the first full pay period after its receipt.
      (a) Submit an Employee Data Record to establish the employee’s account (the employee’s status code should be “Y”), and
      (b) Begin submitting Current Payment Records to report employee contributions.

D. Transfers or reappointments with no break in service
   1. When a FERS or CSRS employee transfers to a FERS or CSRS position in another Federal agency (or if the employee changes payroll offices), the employee’s TSP participation must continue without interruption.
   2. When a former FERS or CSRS employee is reappointed to another FERS or CSRS position and the employee did not have a break in service (i.e., the employee had not been separated for more than 30 days), the employee’s TSP participation must resume upon reappointment.
3. If the employee had a valid contribution election on file with the losing/former agency (or payroll office), the gaining agency must use it to continue or resume the employee’s TSP contributions. The employee (like all other employees) may make a new contribution election at any time.

VI. Determining TSP Status Codes and TSP Status Dates

A. TSP status code

The TSP status code as reported on the Employee Data Record reflects an employee’s participation in the TSP. There are six TSP status codes, as described below. Agencies assign these codes to FERS or CSRS employees and report them on the Employee Data Records which they submit to establish an account or to change employee data previously submitted. (Agencies may use other codes in their internal records for TSP status as they see fit; the six codes below are the only ones that should be submitted to the TSP, however.)

1. “W”, or waiting to receive agency contributions. Agencies assign this status code to FERS employees who are contributing to the TSP but who are not yet eligible to receive agency contributions.

As soon as these employees become eligible to receive agency contributions, the agency must change this status code to “Y” (described in paragraph 3 below) and begin making agency matching and agency automatic (1%) contributions.

2. “E”, or eligible for agency contributions. Agencies assign this status code to FERS employees who must receive agency automatic (1%) contributions but who have not made TSP contribution elections.

3. “Y”, or yes, contributing. Agencies assign this status code to:
   a. FERS employees who are contributing to the TSP and who must receive agency contributions.
   b. CSRS employees when they elect to contribute to the TSP.

4. “T”, or terminated contributions. Agencies assign this status code to:
   a. FERS employees, who must receive agency automatic (1%) contributions, and who either elect to terminate their contributions, or are required to terminate their contributions because they made a financial hardship in-service withdrawal.
   b. CSRS employees who elect to terminate their contributions, or who are required to terminate their contributions because they made a financial hardship in-service withdrawal.
5. “S”, or stopped employee contributions before becoming eligible for agency contributions. Agencies assign this status code to FERS employees who terminate their own contributions before they become eligible to receive agency contributions.

As soon as these employees become eligible to receive agency contributions, the agency must change this status code to “T” (described in paragraph 4 above) and begin making agency automatic (1%) contributions to the employees’ accounts.

6. “I”, or ineligible. Agencies assign this status code to employees who were allowed to participate in the TSP in error (e.g., an employee covered by FICA only who was erroneously classified as a FERS employee).

B. TSP status date

The TSP status date is the date an employee attained his or her current TSP status. Agencies assign these dates to FERS or CSRS employees, as described below, and report the dates to the TSP on Employee Data Records.

1. The TSP status date of a FERS employee coded “W” (waiting to receive agency contributions) is the date the employee’s election to begin contributing to the TSP became effective.

2. The TSP status date of a FERS employee coded “E” (eligible for agency contributions) is the first day of the first full pay period of the month during which the employee became eligible to receive agency contributions.

3. The TSP status date of an employee coded “Y” (yes, contributing) is the effective date of the employee’s first contribution election or, in the case of a FERS employee who is contributing, the first day of the first full pay period of the month during which the employee became eligible to receive agency contributions. The status date does not change if the employee submits a subsequent election to change the amount of his or her contributions.

4. The TSP status date of an employee coded “T” (terminated contributions) is the effective date of the employee’s election to terminate contributions or the employee’s required termination due to receipt of a financial hardship in-service withdrawal. In the case of a FERS employee who had stopped contributing before becoming eligible to receive agency contributions, it is the first day of the first full pay period of the month during which the employee became eligible to receive agency contributions.
5. The TSP status date of an employee coded “S” (stopped employee contributions before becoming eligible for agency contributions) is the effective date of the employee’s election to terminate contributions or, if applicable, the employee’s required termination due to receipt of a financial hardship in-service withdrawal.

6. The TSP status date of an employee coded “I” is the date that the erroneous status code is changed to “I.”

PAMELA-JEANNE MORAN
Director
Office of Benefits Services

Attachments: Appendix
Matrix for Eligibility for Agency Contributions
Sample letter—FERS—Not previously eligible for agency contributions
Sample letter—FERS—Previously eligible for agency contributions
Sample letter—CSRS
This appendix contains additional information regarding the TSP eligibility of special groups. These groups are: (1) reemployed annuitants, (2) dual appointees, and (3) employees who elect to transfer to FERS.

I. Reemployed annuitants

For purposes of this bulletin, a “reemployed annuitant” means an individual who is rehired by the Federal Government and who continues to receive basic retirement benefits from CSRS or FERS.

A. If a reemployed annuitant is performing service covered by FERS or CSRS (i.e., the appointment is made pursuant to 5 U.S.C. § 8468 or § 8344(a), respectively), the reemployed annuitant is eligible to participate in the TSP.

The reemployed annuitant may make contribution elections as discussed in Section III of this bulletin. Agency contributions for a FERS reemployed annuitant should begin with the effective date of the reappointment to the FERS position as discussed in Section IV.B of this bulletin.

B. If a reemployed annuitant is not performing covered service (e.g., a FERS annuitant who is reemployed on an intermittent basis or an annuitant authorized to receive full salary and full annuity under P.L. 101-509), the reemployed annuitant is not eligible to participate in the TSP.

C. Generally, reemployed annuitants are performing covered service. In the case of a FERS reemployed annuitant, this will be reflected in the retirement code (which indicates FERS) because the annuitant is required to have FERS deductions taken from pay.

In the case of a CSRS reemployed annuitant, however, this may not be reflected in the retirement code because the annuitant may not be required to have CSRS retirement deductions taken from pay. Consequently, the retirement code of a CSRS reemployed annuitant may be “4” (i.e., none), but the annuitant is performing service covered by CSRS and is therefore eligible to participate in the TSP.1

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1 The Office of Personnel Management (OPM) administers CSRS and FERS. Accordingly, OPM, not the Federal Retirement Thrift Investment Board, regulates CSRS and FERS coverage, deductions, and retirement codes. Agency representatives who have questions about these issues should contact their Agency Retirement Counselor or OPM, as appropriate.
D. See TSP Bulletin 02-8, dated April 3, 2002, for information regarding the basic pay used to determine TSP contributions of eligible reemployed annuitants.

II. Dual appointees

A. If an employee covered by FERS or CSRS receives a second, simultaneous (dual) appointment, the employee is eligible to participate in the TSP under each appointment if the employee's retirement coverage continues under the second appointment. If the retirement coverage continues, the employee's TSP participation continues under the second appointment, as discussed in C below.

B. If the employee's retirement coverage does not continue under the second appointment, the employee is not eligible to participate in the TSP under the second appointment.2

C. When the appointments are made by two different Federal agencies or appointing authorities, the following rules apply:
   1. Each agency must use only the basic pay the employee earns in the respective agency to determine TSP contributions.3
   2. If FERS, each agency must make the required agency automatic (1%) contributions to the employee's account. If, upon the second appointment, the employee is not yet eligible to receive agency contributions, the waiting period which started with the first appointment must continue with the second appointment.

III. Transfer to FERS

A. Employees who elect to transfer to FERS are immediately eligible to receive agency contributions. They may make TSP contribution elections at any time, as discussed in Section III of this bulletin.

B. When an employee elects to transfer to FERS, the agency must take the following actions:
   1. Submit an Employee Data Record to establish the account or to reflect the changed retirement code.

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2 The continuation of retirement coverage is regulated by OPM under 5 C.F.R. parts 842 and 831. In most cases, the regulations require an employee's retirement coverage to continue under the second appointment.

3 See TSP Bulletin 02-8 for more information about basic pay.
2. Begin submitting Current Payment Records to report the agency automatic (1%) contributions or, if the employee is making his or her own contributions, contributions for all three sources.

The agency automatic (1%) contributions must begin the pay period that the transfer to FERS becomes effective. If the employee is making employee contributions when the transfer to FERS becomes effective, the agency matching contributions must also begin the pay period that the transfer becomes effective.
## Determining Eligibility for Agency Contribution

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<th>If employee is appointed:</th>
<th>Agency contributions begin first full period in:</th>
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<tr>
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<td>December 1, 2006 through May 31, 2007</td>
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Please note the information in [square brackets] must be furnished by the agency as indicated. Instructions to the agency are set forth in {curly brackets}.

**SAMPLE LETTER FOR FERS APPOINTEE— NOT PREVIOUSLY ELIGIBLE FOR AGENCY CONTRIBUTIONS**

As a result of your appointment to a position covered by the Federal Employees’ Retirement System (FERS), you are eligible to participate in the Thrift Savings Plan (TSP). The TSP is a retirement savings and investment plan for Federal employees and is one of the three parts of FERS. (The Basic Annuity and Social Security are the other two parts.) Your TSP contributions are deducted from the pay you earn each pay period and are tax-deferred for purposes of Federal and, in most cases, state income tax.

**Making employee contributions.** You may elect to begin contributing to your TSP account at any time. To make a contribution election, complete the [attached] Form TSP-1 (Election Form) and return it to [insert office name] by [insert date]. [If employees may, or must, make electronic contribution elections, revise this sentence accordingly.] You may specify a whole percentage of basic pay that you want to contribute each pay period up to [*]% or you may specify a whole dollar amount. If you specify a dollar amount, however, this amount cannot exceed [*]% of your basic pay each pay period. Your contribution election will remain in effect until you make another election to change the amount of or to stop your contributions.

**Allocating contributions.** You may invest your contributions in any of the five TSP investment funds. To direct the investment of the contributions which will be made to your TSP account each pay period, you must request a contribution allocation. After the TSP record keeper notifies you that your account has been established, you may request a contribution allocation at any time.

To request a contribution allocation, use the TSP Web site (www.tsp.gov), the ThriftLine (1-877-968-3778), or Form TSP-50 (Investment Allocation). If you use the Web site or the ThriftLine, you will need your TSP Personal Identification Number (PIN), which will be included in the letter notifying you that your account has been established. If you use Form TSP-50, you should not submit the form until you receive this letter from the TSP because the form will be rejected if your account has not been established.

**Until you request a contribution allocation, the contributions made to your account each pay period will be invested in the Government Securities Investment (G) Fund.**

*See TSP Bulletin 01-3, dated January 23, 2001, for the amount an employee may contribute to the TSP.*
Changing the investment of your account balance. You may also use the Web, the ThriftLine, or Form TSP-50 to request an interfund transfer. An interfund transfer will change the investment of your account balance (i.e., money already in your account). You may request an interfund transfer at any time. Please note that an interfund transfer is different from a contribution allocation, which changes only the investment of future contributions to your account. If you want to change the investment of both your account balance and future contributions to your account, you must request both an interfund transfer and a contribution allocation.

Receiving agency contributions. Effective the first full pay period in [insert relevant month and year], the [insert agency name] will begin making agency contributions to your TSP account each pay period. Whether or not you are contributing your own money, you will begin receiving agency automatic (1%) contributions each pay period which will equal 1% of the basic pay you earn for the pay period. If you are making employee contributions, you will also begin receiving agency matching contributions to your TSP account. The first 3% that you contribute each pay period will be matched dollar for dollar, and the next 2% that you contribute will be matched 50 cents on the dollar.

Your agency contributions will be invested according to the contribution allocation on file with the TSP on the date the contributions are posted to your account.

Additional information. The TSP Web site contains detailed information about the TSP as well as all TSP products and forms. When you enter your TSP PIN, you can also obtain information about your account. You may want to visit the site before you make a contribution election.

Questions. If you have any questions about the TSP and your participation, contact [insert agency contact and other information, as appropriate.]
Please note the information in [square brackets] must be furnished by the agency as indicated. Instructions to the agency are set forth in {curly brackets}.

**SAMPLE LETTER FOR FERS APPOINTEE—PREVIOUSLY ELIGIBLE FOR AGENCY CONTRIBUTIONS**

As a result of your appointment to a position covered by the Federal Employees’ Retirement System (FERS), you are eligible to participate in the Thrift Savings Plan (TSP). The TSP is a retirement savings and investment plan for Federal employees and is one of the three parts of FERS. (The Basic Annuity and Social Security are the other two parts.) Your TSP contributions are deducted from the pay you earn each pay period and are tax-deferred for purposes of Federal and, in most cases, state income tax.

Making employee contributions. You may elect to begin contributing to your TSP account at any time. To make a contribution election, complete the [attached] Form TSP-1 (Election Form) and return it to [insert office name] by [insert date]. (If employees may, or must, make electronic contribution elections, revise this sentence accordingly.) You may specify a whole percentage of basic pay that you want to contribute each pay period up to [*]% or you may specify a whole dollar amount. If you specify a dollar amount, however, this amount cannot exceed [*]% of your basic pay each pay period. Your contribution election will remain in effect until you make another election to change the amount of or to stop your contributions.

Allocating contributions. You may invest your contributions in any of the five TSP investment funds. To direct the investment of the contributions which will be made to your account each pay period, you must request a contribution allocation. You may request a contribution allocation at any time by using the TSP Web site (www.tsp.gov), the ThriftLine (1-877-968-3778), or Form TSP-50 (Investment Allocation). If you use the Web site or the ThriftLine, you will need your TSP Personal Identification Number (PIN).

Until you request a different contribution allocation, your contributions will be invested according to the last contribution allocation on file with the TSP.

Changing the investment of your account balance. You may also use the Web, the ThriftLine, or Form TSP-50 to request an interfund transfer. An interfund transfer will change the investment of your account balance (i.e., money already in your account). You may request an interfund transfer at any time. Please note that an interfund transfer is different from a contribution allocation, which changes only the investment of future contributions to your account. If you want to change the investment of both your account balance and future contributions to your account, you must request both an interfund transfer and a contribution allocation.

*See TSP Bulletin 01-3, dated January 23, 2001, for the amount an employee may contribute to the TSP.*
Receiving agency contributions. Whether or not you are contributing your own money, you will receive agency automatic (1%) contributions to your account each pay period which will equal 1% of the basic pay you earn for the pay period. If you are making employee contributions, you will also receive agency matching contributions to your TSP account. The first 3% that you contribute each pay period will be matched dollar for dollar, and the next 2% that you contribute will be matched 50 cents on the dollar.

Your agency contributions will be invested according to the contribution allocation on file with the TSP on the date the contributions are posted to your account.

Additional information. The TSP Web site contains detailed information about the TSP as well as all TSP products and forms. When you enter your TSP PIN, you can also obtain information about your account.

Questions. If you have any questions about the TSP and your participation, contact [insert agency contact and other information, as appropriate.]
SAMPLE LETTER FOR CSRS REHIRE

As a result of your appointment to a position covered by the Civil Service Retirement System (CSRS), you are eligible to participate in the Thrift Savings Plan (TSP). The TSP is a retirement savings and investment plan for Federal employees and is a supplement to CSRS. Your TSP contributions are deducted from the pay you earn each pay period and are tax-deferred for purposes of Federal and, in most cases, state income tax.

Making employee contributions. You may elect to begin contributing to your TSP account at any time. To make a contribution election, complete the [attached] Form TSP-1 (Election Form) and return it to [insert office name] by [insert date]. {If employees may, or must, make electronic contribution elections, revise this sentence accordingly.} You may specify a whole percentage of basic pay that you want to contribute each pay period up to [*]% or you may specify a whole dollar amount. If you specify a dollar amount, however, this amount cannot exceed [*]% of your basic pay each pay period. Your contribution election will remain in effect until you make another election to change the amount of or to stop your contributions.

Allocating contributions. You may invest your contributions in any of the TSP investment funds. To direct the investment of the contributions which will be made to your account each pay period, you must request a contribution allocation by using the TSP Web site (www.tsp.gov), the ThriftLine (1-877-968-3778), or Form TSP-50 (Investment Allocation). If you use the Web site or the ThriftLine, you will need your TSP Personal Identification Number (PIN).

If you have never participated in the TSP, the TSP record keeper will notify you when your account is established and this notification will include your TSP PIN. Any time after you receive this notification, you may request a contribution allocation. Until you request a contribution allocation, your contributions will be invested in the Government Securities Investment (G) Fund.

If you participated in the TSP under a prior appointment, you may request a contribution allocation at any time (because your account has already been established). Until you request a different contribution allocation, the contributions made to your account each pay period will be invested according to the last contribution allocation on file with the TSP.

* See TSP Bulletin 01-3, dated January 23, 2001, for the amount an employee may contribute to the TSP.
Changing the investment of your account balance. You may also use the Web, the ThriftLine, or Form TSP-50 to request an interfund transfer. An interfund transfer will change the investment of your account balance (i.e., money already in your account). You may request an interfund transfer at any time. Please note that an interfund transfer is different from a contribution allocation, which changes only the investment of future contributions to your account. If you want to change the investment of both your account balance and future contributions to your account, you must request both an interfund transfer and a contribution allocation.

Additional information. The TSP Web site contains detailed information about the TSP as well as all TSP products and forms. When you enter your TSP PIN, you can also obtain information about your account.

Questions. If you have any questions about the TSP and your participation, contact [insert agency contact and other information, as appropriate.]