



DoD INSTRUCTION 1400.25, VOLUME 805

DoD CIVILIAN PERSONNEL MANAGEMENT SYSTEM: SPECIAL RETIREMENT AND SURVIVOR BENEFITS FOR JUDGES OF THE UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

Originating Component: Office of the Under Secretary of War for Personnel and Readiness

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Approved 8/3/2026 by: Anthony J. Tata, Under Secretary of War for Personnel and Readiness

Purpose: This issuance is composed of several volumes, each containing its own purpose. In accordance with the authority in DoD Directive 5124.02:

- This instruction establishes and implements policy, establishes procedures, provides guidelines and model programs, delegates authority, and assigns responsibilities regarding civilian personnel management within the DoW.
- This volume, in accordance with DoW Directive 1400.25, implements policy and assigns responsibilities on special retirement and survivor benefits for judges of the United States Court of Appeals for the Armed Forces (USCAAF) as provided by Section 945 of Title 10, United States Code (U.S.C.).

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SECTION 1: GENERAL ISSUANCE INFORMATION

1.1. APPLICABILITY.

This issuance applies to:

- a. OSW and those Defense Agencies, DoW Field Activities, and other Components of the DoW that receive human resource services from the Washington Headquarters Services (WHS).
- b. Judges and former judges of the USCAAF who have completed a term of service on such court for which they were appointed and who separated from civilian service in the Federal Government on or after September 29, 1988.

1.2. POLICY.

- a. Judges and former judges of the USCAAF are entitled to special retirement and survivor benefit provisions in accordance with Section 945 of Title 10, U.S.C.; Chapters 83 and 84 of Title 5, U.S.C.; and Section 843.308 of Title 5, Code of Federal Regulations.
- b. Judges of the USCAAF are civilian employees of the Federal Government and, as such, are subject to all of the provisions in Chapters 83 and 84 of Title 5, U.S.C. that pertain to the particular retirement system to which they belong. Such provisions include, but are not limited to, retirement fund contributions, disability retirement provisions, death benefits, thrift savings fund benefits, etc. The special provisions of this volume become effective only at the time the judge or former judge separates from Federal service.
- c. If a judge or former judge who was covered by the Civil Service Retirement System while federally employed elects the special retirement annuity provided by Section 945 of Title 10, U.S.C., the post-retirement survivor benefit provisions that will pertain will be those of the Civil Service Retirement System. Therefore, in providing for a survivor annuity, the retiring judge's annuity will be reduced by 2.5 percent of any amount up to \$3,600 specified as a base for the survivor benefit plus 10 percent of any amount over \$3,600 so specified. The survivor annuity will be 55 percent of the retiring employee's annuity or whatever portion of it that is specified as a base for the benefits.
- d. If a judge or former judge who was covered by the Federal Employees Retirement System while federally employed elects the special retirement annuity provided by Section 945 of Title 10, U.S.C., the post-retirement survivor benefit provisions that will pertain will be those of the Federal Employees Retirement System. Therefore, in providing for a survivor annuity, the retiring judge's annuity will be reduced by 10 percent if a maximum survivor annuity is elected, or by 5 percent if a partial survivor benefit annuity is jointly elected by the retiring judge and the retiring judge's spouse. The survivor annuity will be 50 percent of the unreduced annuity if a maximum survivor annuity is elected, or 25 percent of the unreduced annuity if a partial annuity is elected, plus a special supplemental annuity payable until age 60 if the surviving spouse will not be eligible for social security survivor benefits until age 60. The details of the special supplemental annuity provisions are found in Section 843.308 of Title 5, Code of Federal Regulations.

SECTION 2: RESPONSIBILITIES

2.1. ASSISTANT SECRETARY OF WAR FOR MANPOWER AND RESERVE AFFAIRS.

Under the authority, direction, and control of the Under Secretary of War for Personnel and Readiness, the Assistant Secretary of War for Manpower and Reserve Affairs has overall responsibility for the development of DoW civilian personnel policy covered by this volume.

2.2. DEPUTY ASSISTANT SECRETARY OF WAR FOR CIVILIAN PERSONNEL POLICY.

Under the authority, direction, and control of the Assistant Secretary of War for Manpower and Reserve Affairs, the Deputy Assistant Secretary of War for Civilian Personnel Policy supports the development of civilian personnel policy covered by this volume and monitors its execution by DoW Components, ensuring consistent implementation and continuous application throughout the DoW.

2.3. DIRECTOR, PERSONNEL RESOURCES MANAGEMENT AGENCY.

Under the authority, direction, and control of the Under Secretary of War for Personnel and Readiness, the Director, Personnel Readiness Management Agency provides support to the Deputy Assistant Secretary of War for Civilian Personnel Policy, as appropriate, in the execution of the duties and responsibilities in this volume.

2.4. DIRECTOR, DEFENSE FINANCE AND ACCOUNTING SERVICE.

Under the authority, direction, and control of the Under Secretary of War (Comptroller)/Chief Financial Officer, Department of War, the Director, Defense Finance and Accounting Service directs and oversees finance and accounting requirements, procedures, and functions for retired judges of the USCAAF.

2.5. DIRECTOR, WHS.

Under the authority, direction, and control of the Director of Administration and Management, the Director, WHS:

- a. Prescribes procedures and issues additional guidance, as necessary, to ensure proper administration of the special retirement and survivor annuity provisions applicable to judges and former judges of the USCAAF.
- b. Acts as a liaison between the judges and the Defense Finance and Accounting Service.

GLOSSARY

G.1. ACRONYMS.

ACRONYM	MEANING
DoW	Department of War
OSW	Office of the Secretary of War
USCAAF U.S.C.	United States Court of Appeals for the Armed Forces United States Code
WHS	Washington Headquarters Services

G.2. DEFINITIONS.

This term and its definition are for the purpose of this issuance.

TERM	DEFINITION
survivor benefits	Post-retirement survivor benefits, as opposed to benefits that accrue to survivors because of an employee's death in service.

REFERENCES

Code of Federal Regulations, Title 5, Section 843.308

DoD Directive 5124.02, “Under Secretary of Defense for Personnel and Readiness (USD(P&R)),” June 23, 2008, as amended

DoW Directive 1400.25, “DoD Civilian Personnel Management System,” November 25, 1996, as amended

United States Code, Title 5

United States Code, Title 10, Section 945