

Public Law 90-83

AN ACT

To amend titles 5, 14, and 37, United States Code, to codify recent law, and to improve the Code.

September 11, 1967
[H. R. 5876]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 5, United States Code, is amended as follows:

(1) (A) Subchapter I of chapter 5 is amended by inserting the following new section at the beginning thereof:

“§ 500. Administrative practice; general provisions

“(a) For the purpose of this section—

“(1) ‘agency’ has the meaning given it by section 551 of this title; and

“(2) ‘State’ means a State, a territory or possession of the United States including a Commonwealth, or the District of Columbia.

“(b) An individual who is a member in good standing of the bar of the highest court of a State may represent a person before an agency on filing with the agency a written declaration that he is currently qualified as provided by this subsection and is authorized to represent the particular person in whose behalf he acts.

“(c) An individual who is duly qualified to practice as a certified public accountant in a State may represent a person before the Internal Revenue Service of the Treasury Department on filing with that agency a written declaration that he is currently qualified as provided by this subsection and is authorized to represent the particular person in whose behalf he acts.

“(d) This section does not—

“(1) grant or deny to an individual who is not qualified as provided by subsection (b) or (c) of this section the right to appear for or represent a person before an agency or in an agency proceeding;

“(2) authorize or limit the discipline, including disbarment, of individuals who appear in a representative capacity before an agency;

“(3) authorize an individual who is a former employee of an agency to represent a person before an agency when the representation is prohibited by statute or regulation; or

“(4) prevent an agency from requiring a power of attorney as a condition to the settlement of a controversy involving the payment of money.

“(e) Subsections (b)–(d) of this section do not apply to practice before the Patent Office with respect to patent matters that continue to be covered by chapter 3 (sections 31–33) of title 35.

“(f) When a participant in a matter before an agency is represented by an individual qualified under subsection (b) or (c) of this section, a notice or other written communication required or permitted to be given the participant in the matter shall be given to the representative in addition to any other service specifically required by statute. When a participant is represented by more than one such qualified representative, service on any one of the representatives is sufficient.”

(B) The analysis of chapter 5 is amended by inserting the following new item before item 501:

“500. Administrative practice; general provisions.”

(2) Section 1104(a) is amended—

(A) by striking out “and” after the semicolon in paragraph (4);

Government Organization and Employees.
Title 5, U.S. Code, amendment.
80 Stat. 381.
5 USC 501 et seq.

Definitions.

86 Stat. 795.

80 Stat. 399.

(B) by striking out the period at the end of paragraph (5) and inserting “; and” in place thereof; and

(C) by adding the following new paragraph after paragraph (5):

“(6) reviewing the operations under chapter 87 of this title and advising the Commission on matters of policy relating to its activities thereunder.”

(3) Section 1305 is amended by inserting “of this title,” after the figure “7521”.

(4) Sections 2101(3), 4102(a)(1)(C), 4109(a)(2)(A) and (B), 5541(2)(xii), and 8101(1)(iii) are each amended by striking out “Coast and Geodetic Survey” and inserting “Environmental Science Services Administration” in place thereof.

(5) Section 2107 is amended—

(A) by striking out paragraph (6);

(B) by striking out the period at the end of paragraph (7) and inserting “; and” in place thereof; and

(C) by inserting the following new paragraph after paragraph (7):

“(8) an employee of the Botanic Garden.”

(6) Section 2108 is amended—

(A) by striking out paragraph (1) and inserting in place thereof:

“(1) ‘veteran’ means an individual who—

“(A) served on active duty in the armed forces during a war, in a campaign or expedition for which a campaign badge has been authorized, or during the period beginning April 28, 1952, and ending July 1, 1955; or

“(B) served on active duty as defined by section 101(21) of title 38 at any time in the armed forces for a period of more than 180 consecutive days after January 31, 1955, not including service under section 511(d) of title 10 pursuant to an enlistment in the Army National Guard or the Air National Guard or as a Reserve for service in the Army Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard Reserve;

and who has been separated from the armed forces under honorable conditions;”;

(B) by inserting “as defined by paragraph (1)(A) of this section” before the semicolon in paragraph (3)(A);

(C) by inserting the following new paragraph after paragraph (3)(A):

“(B) a veteran as defined by paragraph (1)(B) of this section;”;

(D) by striking out “paragraph (1)” in paragraph (3)(E) and inserting “paragraph (1)(A)” in place thereof; and

(E) by redesignating subparagraphs (B), (C), (D), (E), and (F) of paragraph (3) as subparagraphs “(C)”, “(D)”, “(E)”, “(F)”, and “(G)”, respectively.

(7) Section 3104 is amended—

(A) by amending subsection (a)(5) by striking out the figure “3” and inserting the figure “6” in place thereof;

(B) by amending subsection (a) by inserting the following new paragraph after paragraph (7):

“(8) National Aeronautics and Space Administration—not more than 12.”;

(C) by amending subsection (b) by inserting the following new sentence at the end thereof: “This subsection does not apply to the National Aeronautics and Space Administration.”; and

80 Stat. 592.
5 USC 8701-
8716.

80 Stat. 402.

80 Stat. 409.

80 Stat. 410.

“Veteran.”

72 Stat. 1108.

77 Stat. 135.

80 Stat. 415.

(D) by amending the first sentence of subsection (c) to read: "The head of each agency authorized to establish and fix the pay of positions under this section and section 5361 of this title shall submit to Congress, not later than December 31 of each year (or in the case of the Administrator of the National Aeronautics and Space Administration not later than February 1 of each year), a report setting forth—

Report to
Congress.
80 Stat. 473.

"(1) the number of these positions established in his agency during that calendar year (or in the case of the National Aeronautics and Space Administration during the previous calendar year); and

"(2) the name, rate of pay, and description of the qualifications of each incumbent, together with a statement of the functions performed by each."

(8) Sections 3305(b), 3309(1), and 3318(c) are each amended by striking out "section 2108(3) (B)–(F)" and inserting "section 2108(3) (C)–(G)" in place thereof.

80 Stat. 419.

(9) (A) Chapter 33 is amended by inserting the following new section after section 3315:

5 USC 3301 et
seq.

"§ 3315a. Registers; individuals receiving compensation for work injuries

"(a) For the purpose of this section, 'employee' has the meaning given it by section 8101(1) (A) of this title, but does not include an individual who, by statute, is deemed an employee for the purpose of subchapter I of chapter 81 of this title.

80 Stat. 532.

"(b) The Civil Service Commission, on application by an employee or former employee receiving compensation under subchapter I of chapter 81 of this title, shall enter his name on each appropriate register or employment list, or both, maintained by the Commission, for certification for appointment to a vacant position for which he is physically and otherwise qualified, under regulations of the Commission. An employee or former employee with career or career-conditional status is entitled to the same priority in certification that the Commission accords a career or career-conditional employee who has been involuntarily displaced from his position through no fault of his own."

5 USC 8101 et
seq.

(B) The analysis of chapter 33 is amended by inserting the following new item after item 3315:

"3315a. Registers; individuals receiving compensation for work injuries."

(10) Section 3324(a) (4) (A) is amended—

80 Stat. 422.

(A) by striking out "headings" and inserting "heading" in place thereof;

(B) by striking out "and" and inserting "or" in place thereof; and

(C) by striking out the last comma and inserting a semicolon in place thereof.

(11) Section 5102(c) is amended—

80 Stat. 444.

(A) by striking out "who" in paragraph (15) and inserting "whose" in place thereof;

(B) by striking out "or" at the end of paragraph (24);

(C) by striking out the period at the end of paragraph (25) and inserting "; or" in place thereof; and

(D) by inserting the following new paragraph after paragraph (25):

"(26) civilian members of the faculty of the Coast Guard Academy whose pay is fixed under section 186 of title 14."

74 Stat. 145;
80 Stat. 195.
80 Stat. 454.

(12) Section 5108(c) (5) is amended by striking out "professional engineering positions in the physical and natural sciences" and insert-

ing "professional positions in the physical and natural sciences and medicine" in place thereof.

(13) Section 5313 is amended by striking out paragraph (6).

(14) Section 5314 is amended—

(A) by striking out paragraph (41); and

(B) by inserting the following new paragraphs after paragraph (48):

"(49) Chairman of the National Endowment for the Arts the incumbent of which also serves as Chairman of the National Council on the Arts.

"(50) Chairman of the National Endowment for the Humanities.

"(51) Director of the Federal Mediation and Conciliation Service.

"(52) Under Secretary of Housing and Urban Development."

(15) Section 5315 is amended—

(A) by striking out "(4)" in paragraph (12) and inserting "(5)" in place thereof;

(B) by striking out "(2)" in paragraph (17) and inserting "(5)" in place thereof;

(C) by striking out "(4)" in paragraph (18) and inserting "(5)" in place thereof;

(D) by striking out "(5)" in paragraph (21) and inserting "(6)" in place thereof;

(E) by striking out paragraphs (25), (26), (27), (28), and (30);

(F) by redesignating paragraphs (78) and (79), relating to the Assistant Secretary for Science and the Assistant Secretary for History and Art, Smithsonian Institution, added by Public Law 89-734, as paragraphs "(84)" and "(85)", respectively;

(G) by redesignating paragraph (78), relating to the Deputy Administrator of the Small Business Administration, added by section 8(c)(1) of Public Law 89-779, as paragraph "(86)"; and

(H) by inserting the following new paragraphs at the end thereof:

"(87) Assistant Secretaries of Housing and Urban Development (4).

"(88) General Counsel of the Department of Housing and Urban Development.

"(89) Commissioner of Interama."

(16) Section 5316 is amended—

(A) by striking out paragraphs (22), (38), (83), (94), and (95);

(B) by amending paragraph (60) to read as follows:

"(60) Director, Research and Development, Post Office Department.";

(C) by redesignating paragraphs (117) and (118), relating to the Director, United States National Museum, and the Director, Smithsonian Astrophysical Observatory, Smithsonian Institution, added by Public Law 89-734, as paragraphs "(118)" and "(119)", respectively; and

(D) by inserting the following new paragraphs at the end thereof:

"(120) Administrator for Economic Development.

"(121) Administrator of the Environmental Science Services Administration.

"(122) Assistant Secretary of Housing and Urban Development for Administration.

80 Stat. 460,
948.

80 Stat. 1163.

80 Stat. 1364.

80 Stat. 463,
948.

80 Stat. 1163.

"(123) Director, Construction Engineering, Post Office Department.

"(124) Director, National Highway Safety Bureau.

"(125) Director, National Traffic Safety Bureau."

(17) Section 5317 is amended by striking out "thirty-four" and inserting "34" in place thereof. 80 Stat. 467, 948.

(18) Section 5332(a) is amended to read as follows:

"(a) The General Schedule, the symbol for which is 'GS', is the basic pay schedule for positions to which this subchapter applies. Each employee to whom this subchapter applies is entitled to basic pay in accordance with the General Schedule.

"GENERAL SCHEDULE"

"Grade"	Annual rates and steps									
	1	2	3	4	5	6	7	8	9	10
GS-1.....	\$3,609	\$3,731	\$3,853	\$3,975	\$4,097	\$4,219	\$4,341	\$4,463	\$4,585	\$4,707
GS-2.....	3,925	4,058	4,191	4,324	4,457	4,590	4,723	4,856	4,989	5,122
GS-3.....	4,209	4,413	4,557	4,701	4,845	4,989	5,133	5,277	5,421	5,565
GS-4.....	4,776	4,936	5,096	5,256	5,416	5,576	5,736	5,896	6,056	6,216
GS-5.....	5,331	5,507	5,683	5,859	6,035	6,211	6,387	6,563	6,739	6,915
GS-6.....	5,867	6,065	6,263	6,461	6,659	6,857	7,055	7,253	7,451	7,649
GS-7.....	6,451	6,664	6,877	7,090	7,303	7,516	7,729	7,942	8,155	8,368
GS-8.....	7,068	7,303	7,538	7,773	8,008	8,243	8,478	8,713	8,948	9,183
GS-9.....	7,696	7,957	8,218	8,479	8,740	9,001	9,262	9,523	9,784	10,045
GS-10.....	8,421	8,709	8,997	9,285	9,573	9,861	10,149	10,437	10,725	11,013
GS-11.....	9,221	9,536	9,851	10,166	10,481	10,796	11,111	11,426	11,741	12,056
GS-12.....	10,927	11,306	11,685	12,064	12,443	12,822	13,201	13,580	13,959	14,338
GS-13.....	12,873	13,321	13,769	14,217	14,665	15,113	15,561	16,009	16,457	16,905
GS-14.....	15,106	15,629	16,152	16,675	17,198	17,721	18,244	18,767	19,290	19,813
GS-15.....	17,550	18,157	18,764	19,371	19,978	20,585	21,192	21,799	22,406	23,013
GS-16.....	20,075	20,745	21,415	22,085	22,755	23,425	24,095	24,765	25,435	
GS-17.....	22,760	23,520	24,280	25,040	25,800					
GS-18.....	25,890									"

(19) Section 5333(a) is amended by striking out "GS-13" and inserting "GS-11" in place thereof.

(20) Section 5335 is amended by redesignating subsections (c) and (d) as subsections "(d)" and "(e)", respectively, and by inserting the following new subsection after subsection (b):

"(c) When a determination is made under subsection (a) of this section that the work of an employee is not of an acceptable level of competence, the employee is entitled to prompt written notice of that determination and an opportunity for reconsideration of the determination within his agency under uniform procedures prescribed by the Commission. If the determination is affirmed on reconsideration, the employee is entitled to appeal to the Commission. If the reconsideration or appeal results in a reversal of the earlier determination, the new determination supersedes the earlier determination and is deemed to have been made as of the date of the earlier determination. The authority of the Commission to prescribe procedures and the entitlement of the employee to appeal to the Commission do not apply to a determination of acceptable level of competence made by the Librarian of Congress."

(21) Section 5504(a)(2), (b)(C) is amended by striking out "section 6101(c)" wherever it appears and inserting "section 6101(a)(5)" in place thereof.

(22) Chapter 55 is amended by inserting the following new section after section 5534:

"§ 5534a. Dual employment and pay during terminal leave from uniformed services"

"A member of a uniformed service who has performed active service and who is on terminal leave pending separation from, or release from active duty in, that service under honorable conditions may

Post, p. 207.

5 USC 5501 et seq.

accept a civilian office or position in the Government of the United States, its territories or possessions, or the government of the District of Columbia, and he is entitled to receive the pay of that office or position in addition to pay and allowances from the uniformed service for the unexpired portion of the terminal leave."

(23) The analysis of chapter 55 is amended by inserting the following new item after item 5534:

"5534a. Dual employment and pay during terminal leave from uniformed services."

80 Stat. 485.

(24) Section 5542(a) is amended—

(A) by inserting ", or (with the exception of an employee engaged in professional or technical engineering or scientific activities for whom the first 40 hours of duty in an administrative workweek is the basic workweek and an employee whose basic pay exceeds the minimum rate for GS-10 for whom the first 40 hours of duty in an administrative workweek is the basic workweek) in excess of 8 hours in a day," after "workweek"; and

(B) by striking out "GS-9" wherever it appears therein and inserting "GS-10" in place thereof.

(25) Section 5543(a)(2) is amended by striking out "GS-9" and inserting "GS-10" in place thereof.

(26) (A) Section 5544 is amended—

(i) by inserting the following new sentence flush at the end of subsection (a): "An employee subject to this subsection whose regular work schedule includes an 8-hour period of service a part of which is on Sunday is entitled to additional pay at the rate of 25 percent of his hourly rate of basic pay for each hour of work performed during that 8-hour period of service."; and

(ii) by amending the catchline to read as follows:

"§ 5544. Wage-board overtime and Sunday rates; computation"

(B) The analysis of chapter 55 is amended by striking out the following item:

"5544. Wage-board overtime rates; computation."

and inserting the following item in place thereof:

"5544. Wage-board overtime and Sunday rates; computation."

(27) Section 5545 is amended—

(A) by striking out "GS-9" wherever it appears in subsection (c) and inserting "GS-10" in place thereof;

(B) by inserting ", Sunday," after "night" in subsection (c)(1);

(C) by inserting ", on Sundays," and "Sunday," after "duty at night" and "duration of night," respectively, in subsection (c)(2);

(D) by inserting the following new subsection after subsection (c):

"(d) The Commission shall establish a schedule or schedules of pay differentials for irregular or intermittent duty involving unusual physical hardship or hazard. Under such regulations as the Commission may prescribe, and for such minimum periods as it determines appropriate, an employee to whom chapter 51 and subchapter III of chapter 53 of this title applies is entitled to be paid the appropriate differential for any period in which he is subjected to physical hardship or hazard not usually involved in carrying out the duties of his position. However, the pay differential—

"(1) does not apply to an employee in a position the classification of which takes into account the degree of physical hardship or hazard involved in the performance of the duties thereof; and

“(2) may not exceed an amount equal to 25 percent of the rate of basic pay applicable to the employee.”; and

(E) by amending the catchline to read as follows:

“§ 5545. Night, Sunday, standby, irregular, and hazardous duty differential”

(28) The analysis of chapter 55 is amended by striking out the following item:

“5545. Night, standby, and irregular duty differential.”

and by inserting the following item in place thereof:

“5545. Night, Sunday, standby, irregular, and hazardous duty differential.”

(29) Section 5546 is amended—

80 Stat. 488.

(A) by redesignating subsections (a), (b), (c), and (d) as subsections “(b)”, “(c)”, “(d)”, and “(e)”, respectively;

(B) by inserting the following new subsection (a):

“(a) An employee who performs work during a regularly scheduled 8-hour period of service which is not overtime work as defined by section 5542(a) of this title a part of which is performed on Sunday is entitled to pay for the entire period of service at the rate of his basic pay, plus premium pay at a rate equal to 25 percent of his rate of basic pay.”; and

(C) by amending the catchline to read as follows:

“§ 5546. Pay for Sunday and holiday work”.

(30) The analysis of chapter 55 is amended by striking out the following item:

“5546. Pay for holiday work.”

and by inserting the following item in place thereof:

“5546. Pay for Sunday and holiday work.”

(31) Section 5547 is amended by striking out “this subchapter” and inserting “sections 5542, 5545(a)–(c), and 5546 (a), (b) of this title” in place thereof.

(32) Section 5548 is amended—

(A) by inserting the designation “(a)” before “The”, at the beginning thereof;

(B) by striking out “section 5544” and inserting “sections 5544 and 5545(d)” in place thereof; and

(C) by inserting the following new subsection at the end thereof:

“(b) The Commission shall prescribe regulations necessary for the administration of section 5545(d) of this title.”

Ante, p. 200.

(33) Section 5564(a) is amended by striking out the words “when it is located outside the United States or in Alaska or Hawaii”.

80 Stat. 491.

(34) Chapter 55 is amended—

(A) by amending the heading of subchapter IX, preceding section 5591, to read as follows:

80 Stat. 496.

“SUBCHAPTER IX—SEVERANCE PAY AND BACK PAY”;

(B) by striking out sections 5591, 5592, 5593, and 5594; and

Repeals.

(C) by inserting the following new sections at the end thereof:

“§ 5595. Severance pay

“(a) For the purpose of this section—

“(1) ‘agency’ means—

“(A) an Executive agency;

“(B) the Library of Congress;

“(C) the Government Printing Office; and

“(D) the government of the District of Columbia; and

“(2) ‘employee’ means—

“(A) an individual employed in or under an agency; and

52 Stat. 31.

“(B) an individual employed by a county committee established under section 590h(b) of title 16; but does not include—

“(i) an employee whose rate of basic pay is fixed at a rate provided for one of the levels of the Executive Schedule or is in excess of the maximum rate for GS-18;

“(ii) an employee serving under an appointment with a definite time limitation, except one so appointed for full-time employment without a break in service of more than 3 days following service under an appointment without time limitation;

“(iii) an alien employee who occupies a position outside the several States, the District of Columbia, and the Canal Zone;

80 Stat. 564.
5 USC 8331 et
seq.

“(iv) an employee who is subject to subchapter III of chapter 83 of this title or any other retirement statute or retirement system applicable to an employee as defined by section 2105 of this title or a member of a uniformed service and who, at the time of separation from the service, has fulfilled the requirements for immediate annuity under such a statute or system;

“(v) an employee who, at the time of separation from the service, is receiving compensation under subchapter I of chapter 81 of this title, other than one receiving this compensation concurrently with pay or on account of the death of another individual;

80 Stat. 532.
5 USC 8101 et
seq.

“(vi) an employee who, at the time of separation from the service, is entitled to receive other severance pay from the Government;

“(vii) an employee of the Tennessee Valley Authority; or

“(viii) such other employee as may be excluded by regulations of the President or such other officer or agency as he may designate.

“(b) Under regulations prescribed by the President or such officer or agency as he may designate, an employee who—

“(1) has been employed currently for a continuous period of at least 12 months; and

“(2) is involuntarily separated from the service, not by removal for cause on charges of misconduct, delinquency, or inefficiency; is entitled to be paid severance pay in regular pay periods by the agency from which separated.

“(c) Severance pay consists of—

“(1) a basic severance allowance computed on the basis of 1 week's basic pay at the rate received immediately before separation for each year of civilian service up to and including 10 years for which severance pay has not been received under this or any other authority and 2 weeks' basic pay at that rate for each year of civilian service beyond 10 years for which severance pay has not been received under this or any other authority; and

“(2) an age adjustment allowance computed on the basis of 10 percent of the total basic severance allowance for each year by which the age of the recipient exceeds 40 years at the time of separation.

Total severance pay under this section may not exceed 1 year's pay at the rate received immediately before separation. For the purpose of

this subsection, 'basic pay' includes premium pay under section 5545 (c) (1) of this title.

80 Stat. 487.

"(d) If an employee is reemployed by the Government of the United States or the government of the District of Columbia before the end of the period covered by payments of severance pay, the payments shall be discontinued beginning with the date of reemployment and the service represented by the unexpired portion of the period shall be reccredited to the employee for use in any later computations of severance pay. For the purpose of subsection (b) (1) of this section, reemployment that causes severance pay to be discontinued is deemed employment continuous with that serving as the basis for severance pay.

"(e) If the employee dies before the end of the period covered by payments of severance pay, the payments of severance pay with respect to the employee shall be continued as if the employee were living and shall be paid on a pay period basis to the survivor of the employee in accordance with section 5582(b) of this title.

80 Stat. 495.

"(f) Severance pay under this section is not a basis for payment, and may not be included in the basis for computation, of any other type of United States or District of Columbia Government benefits. A period covered by severance pay is not a period of United States or District of Columbia Government service or employment.

"(g) The Secretary of Agriculture shall prescribe regulations to effect the application and operation of this section to an individual named by subsection (a) (2) (B) of this section.

"§ 5596. Back pay due to unjustified personnel action

"(a) For the purpose of this section, 'agency' means—

"(1) an Executive agency;

"(2) the Administrative Office of the United States Courts;

"(3) the Library of Congress;

"(4) the Government Printing Office; and

"(5) the government of the District of Columbia.

"(b) An employee of an agency who, on the basis of an administrative determination or a timely appeal, is found by appropriate authority under applicable law or regulation to have undergone an unjustified or unwarranted personnel action that has resulted in the withdrawal or reduction of all or a part of the pay, allowances, or differentials of the employee—

"(1) is entitled, on correction of the personnel action, to receive for the period for which the personnel action was in effect an amount equal to all or any part of the pay, allowances, or differentials, as applicable, that the employee normally would have earned during that period if the personnel action had not occurred, less any amounts earned by him through other employment during that period; and

"(2) for all purposes, is deemed to have performed service for the agency during that period, except that the employee may not be credited, under this section, leave in an amount that would cause the amount of leave to his credit to exceed the maximum amount of the leave authorized for the employee by law or regulation.

"(c) The Civil Service Commission shall prescribe regulations to carry out this section. However, the regulations are not applicable to the Tennessee Valley Authority and its employees."

(35) The analysis of chapter 55 is amended—

(A) by amending the heading of subchapter IX to read as follows:

"SUBCHAPTER IX—SEVERANCE PAY AND BACK PAY";

(B) by striking out items 5591, 5592, 5593, and 5594; and

(C) by inserting the following new items at the end thereof:

"5595. Severance pay.

"5596. Back pay due to unjustified personnel action."

80 Stat. 502.

(36) Section 5724 is amended—

(A) by amending subsection (a) (2) thereof by striking out the figure "7,000" and inserting the figure "11,000" in place thereof;

(B) by amending subsection (c) by inserting the following new sentence at the end thereof: "However, under regulations prescribed by the President, payment of actual expenses may be made when the head of the agency determines that payment of actual expenses is more economical to the Government.";

(C) by amending subsection (e) by inserting the following new sentence at the end thereof: "However, under regulations prescribed by the President, in a transfer from one agency to another because of a reduction in force or transfer of function, expenses authorized by this section and sections 5726(b) and 5727 of this title (other than expenses authorized in connection with a transfer to a foreign country) and by section 5724(a), (b) of this title may be paid in whole or in part by the agency from which the employee transfers or by the agency to which he transfers, as may be agreed on by the heads of the agencies concerned."; and

(D) by inserting the following new subsection at the end thereof:

"(i) An agency may pay travel and transportation expenses (including storage of household goods and personal effects) and other relocation allowances under this section and sections 5724a and 5726 (c) of this title when an employee is transferred within the continental United States only after the employee agrees in writing to remain in the Government service for 12 months after his transfer, unless separated for reasons beyond his control that are acceptable to the agency concerned. If the employee violates the agreement, the money spent by the United States for the expenses and allowances is recoverable from the employee as a debt due the United States."

Infra.

Post, p. 206.

80 Stat. 497.

5 USC 5701 et seq.

(37) (A) Chapter 57 is amended by inserting the following new section after section 5724:

"§ 5724a. Relocation expenses of employees transferred or reemployed"

"(a) Under such regulations as the President may prescribe and to the extent considered necessary and appropriate, as provided therein, appropriations or other funds available to an agency for administrative expenses are available for the reimbursement of all or part of the following expenses of an employee for whom the Government pays expenses of travel and transportation under section 5724 (a) of this title:

"(1) Expenses of per diem allowance instead of the subsistence expenses of the immediate family of the employee while en route between his old and new official stations, not in excess of the maximum per diem rates prescribed by or under section 5702 of this title.

"(2) Expenses of per diem allowance instead of subsistence of the employee and his spouse, not in excess of the maximum per diem rates prescribed by or under section 5702 of this title. Expenses of transportation to seek permanent residence quarters at a new official station when both the old and new stations are located

within the continental United States. However, expenses under this paragraph may be allowed only for one round trip in connection with each change of station of the employee.

“(3) Subsistence expenses of the employee and his immediate family for a period of 30 days while occupying temporary quarters when the new official station is located within the United States, its territories or possessions, the Commonwealth of Puerto Rico, or the Canal Zone. The period of residence in temporary quarters may be extended for an additional 30 days when the employee moves to or from Hawaii, Alaska, the territories or possessions, the Commonwealth of Puerto Rico, or the Canal Zone. The regulations shall prescribe average daily rates for subsistence expenses per individual, not in excess of the maximum per diem rates prescribed by or under section 5702 of this title, for the location in which the temporary quarters are located. Reimbursement for subsistence expenses actually incurred may not exceed these daily rates for the first 10 days of the period, two-thirds of the rates for the second 10 days, and one-half of the rates for the balance of the period, including the additional 30 days.

80 Stat. 498.

“(4) Expenses of the sale of the residence (or the settlement of an unexpired lease) of the employee at the old station and purchase of a home at the new official station required to be paid by him when the old and new official stations are located within the United States, its territories or possessions, the Commonwealth of Puerto Rico, or the Canal Zone. However, reimbursement for brokerage fees on the sale of the residence and other expenses under this paragraph may not exceed those customarily charged in the locality where the residence is located, and reimbursement may not be made for losses on the sale of the residence. This paragraph applies regardless of whether title to the residence or the unexpired lease is in the name of the employee alone, in the joint names of the employee and a member of his immediate family, or in the name of a member of his immediate family alone.

“(b) Under such regulations as the President may prescribe and to the extent considered necessary and appropriate, as provided therein, and notwithstanding other reimbursement authorized under this subchapter, an employee who is reimbursed under subsection (a) of this section or section 5724(a) of this title is entitled to—

“(1) an amount not to exceed 2 weeks' basic pay, if he has an immediate family; or

“(2) an amount not to exceed 1 week's basic pay, if he does not have an immediate family.

However, the amounts may not exceed amounts determined from the maximum rate for GS-13.

“(c) Under such regulations as the President may prescribe, a former employee separated by reason of reduction in force or transfer of function who within 1 year after the separation is reemployed by a nontemporary appointment at a different geographical location from that where the separation occurred may be allowed and paid the expenses authorized by sections 5724, 5725, 5726(b), and 5727 of this title, and may receive the benefits authorized by subsections (a) and (b) of this section, in the same manner as though he had been transferred in the interest of the Government without a break in service to the location of reemployment from the location where separated.”

80 Stat. 502.

(B) The analysis of chapter 57 is amended by inserting the following new item after item 5724:

“5724a. Relocation expenses of employees transferred or reemployed.”

(38) Section 5726 is amended—

(A) by amending subsection (a) by striking out “this section” and inserting “subsection (b) of this section” in place thereof;

(B) by amending subsection (b) by striking out the figure "7,000" and inserting the figure "11,000" in place thereof; and
(C) by inserting the following new subsection at the end thereof:

80 Stat. 502.

"(c) Under such regulations as the President may prescribe, when an employee, including a new appointee and a student trainee to the extent authorized by section 5723 of this title, is assigned to a permanent duty station at an isolated location in the continental United States to which he cannot take or at which he is unable to use his household goods and personal effects because of the absence of residence quarters at the location, nontemporary storage expenses or storage at Government expense in Government-owned facilities (including related transportation and other expenses), whichever is more economical, may be allowed the employee under regulations prescribed by the head of the agency concerned. The weight of property stored under this subsection, together with the weight of property transported under sections 5723(a) and 5724(a) of this title, may not exceed the total maximum weight the employee would be entitled to have moved. The period of nontemporary storage under this subsection may not exceed 3 years."

Ante, p. 204.

80 Stat. 508.

(39) Section 5901 is amended—

(A) by striking out "\$100" wherever it appears in subsection (a) and inserting "\$125" in place thereof;

Infra.

(B) by striking out "subsection (d) of this section" in the third sentence in subsection (a) and inserting "section 5903 of this title" in place thereof;

(C) by inserting the following new sentence at the end of subsection (a): "When the agency pays direct to the uniform vendor, the head of the agency may deduct a service charge of not more than 4 percent."; and

(D) by striking out subsection (d).

5 USC 5901 et seq.

(40) (A) Chapter 59 is amended by inserting the following new sections after section 5901:

"§ 5902. Increase in maximum uniform allowance

"Notwithstanding section 5901 of this title, each of the respective maximum uniform allowances in effect on April 1, 1966, for the respective categories of employees to whom uniform allowances are paid under section 5901 of this title are increased, subject to the maximum allowance authorized by section 5901 of this title, as follows:

"(1) If the maximum uniform allowance is \$100 or more, it is increased by 25 percent.

"(2) If the maximum uniform allowance is \$75 or more but less than \$100, it is increased by 30 percent.

"(3) If the maximum uniform allowance is \$50 or more but less than \$75, it is increased by 35 percent.

"(4) If the maximum uniform allowance is less than \$50, it is increased by 40 percent.

The maximum uniform allowances, as in effect on April 1, 1966, and as increased by this section, may not be reduced.

"§ 5903. Regulations

"The Director of the Bureau of the Budget shall prescribe regulations necessary for the uniform administration of this subchapter."

(B) The analysis of chapter 59 is amended by inserting the following new items after item 5901:

"5902. Increase in maximum uniform allowance.

"5903. Regulations."

(41) Section 5942 is amended—

(A) by inserting after the word “islands” the words “or at the United States Atomic Energy Commission Nevada Test Site, including the Nuclear Rocket Development Station,”; and

(B) by inserting in the catchline after the word “islands” the words “or at Nevada Test Site”.

(42) The analysis of chapter 59 is amended by striking out the following item:

“5942. Allowance based on duty on California offshore islands.”

and by inserting the following item in place thereof:

“5942. Allowance based on duty on California offshore islands or at Nevada Test Site.”

(43) Section 6101 is amended to read as follows:

“§ 6101. Basic 40-hour workweek; work schedules; regulations

“(a) (1) For the purpose of this subsection, ‘employee’ includes an individual employed by the government of the District of Columbia, but does not include an employee or individual excluded from the definition of employee in section 5541(2) of this title.

“(2) The head of each Executive agency, military department, and of the government of the District of Columbia shall—

“(A) establish a basic administrative workweek of 40 hours for each full-time employee in his organization; and

“(B) require that the hours of work within that workweek be performed within a period of not more than 6 of any 7 consecutive days.

“(3) Except when the head of an Executive agency, a military department, or of the government of the District of Columbia determines that his organization would be seriously handicapped in carrying out its functions or that costs would be substantially increased, he shall provide, with respect to each employee in his organization, that—

“(A) assignments to tours of duty are scheduled in advance over periods of not less than 1 week;

“(B) the basic 40-hour workweek is scheduled on 5 days, Monday through Friday when possible, and the 2 days outside the basic workweek are consecutive;

“(C) the working hours in each day in the basic workweek are the same;

“(D) the basic nonovertime workday may not exceed 8 hours;

“(E) the occurrence of holidays may not affect the designation of the basic workweek; and

“(F) breaks in working hours of more than 1 hour may not be scheduled in a basic workday.

“(4) Notwithstanding paragraph (3) of this subsection, the head of an Executive agency, a military department, or of the government of the District of Columbia may establish special tours of duty, of not less than 40 hours, to enable employees to take courses in nearby colleges, universities, or other education institutions that will equip them for more effective work in the agency. Premium pay may not be paid to an employee solely because his special tour of duty established under this paragraph results in his working on a day or at a time of day for which premium pay is otherwise authorized.

“(5) The Architect of the Capitol may apply this subsection to employees under the Office of the Architect of the Capitol or the Botanic Garden. The Librarian of Congress may apply this subsection to employees under the Library of Congress.

“(b) (1) For the purpose of this subsection, ‘agency’ and ‘employee’ have the meanings given them by section 5541 of this title. “‘Agency’; “‘employee.’”

80 Stat. 513.

80 Stat. 485.

"(2) To the maximum extent practicable, the head of an agency shall schedule the time to be spent by an employee in a travel status away from his official duty station within the regularly scheduled workweek of the employee.

"(c) The Civil Service Commission may prescribe regulations, subject to the approval of the President, necessary for the administration of this section insofar as this section affects employees in or under an Executive agency."

(44) Section 7154 is amended by striking out subsection (a) thereof.

(45) Chapter 73 is amended—

(A) by amending the heading of subchapter IV, preceding section 7341, to read as follows:

"SUBCHAPTER IV—FOREIGN GIFTS AND DECORATIONS";

Repeal.

(B) by striking out section 7341; and

(C) by inserting the following new section in subchapter IV thereof:

"§ 7342. Receipt and disposition of foreign gifts and decorations

"(a) For the purpose of this section—

"(1) 'employee' means—

"(A) an employee as defined by section 2105 of this title;

"(B) an individual employed by, or occupying an office or position in, the government of a territory or possession of the United States or of the District of Columbia;

"(C) a member of a uniformed service;

"(D) the President;

"(E) a Member of Congress as defined by section 2106 of this title; and

"(F) a member of the family and household of an individual described in subparagraphs (A)–(E) of this paragraph;

"(2) 'foreign government' means a foreign government and an official agent, or representative thereof;

"(3) 'gift' means a present or thing, other than a decoration, tendered by or received from a foreign government; and

"(4) 'decoration' means an order, device, medal, badge, insignia, or emblem tendered by or received from a foreign government.

"(b) An employee may not request or otherwise encourage the tender of a gift or decoration.

"(c) Congress consents to—

"(1) the accepting and retaining by an employee of a gift of minimal value tendered or received as a souvenir or mark of courtesy; and

"(2) the accepting by an employee of a gift of more than minimal value when it appears that to refuse the gift would be likely to cause offense or embarrassment or otherwise adversely affect the foreign relations of the United States.

However, a gift of more than minimal value is deemed to have been accepted on behalf of the United States and shall be deposited by the donee for use and disposal as the property of the United States under regulations prescribed under this section.

"(d) Congress consents to the accepting, retaining, and wearing by an employee of a decoration tendered in recognition of active field service in time of combat operations or awarded for other outstanding or unusually meritorious performance, subject to the approval of the agency, office or other entity in which the employee is employed and the concurrence of the Secretary of State. Without this approval and

80 Stat. 523.

5 USC 7301 et seq.

Definitions.

80 Stat. 409.

concurrence, the decoration shall be deposited by the donee for use and disposal as the property of the United States under regulations prescribed under this section.

“(e) The President may prescribe regulations to carry out the purpose of this section.”

(46) The analysis of chapter 73 is amended—

(A) by amending the heading of subchapter IV to read as follows:

“SUBCHAPTER IV—FOREIGN GIFTS AND DECORATIONS”;

(B) by striking out item 7341; and

(C) by inserting the following new item:

“7342. Receipt and disposition of foreign gifts and decorations.”

(47) Section 7901 is amended by striking out “Public Health Service” wherever it appears and inserting “Secretary of Health, Education, and Welfare” in place thereof.

80 Stat. 530.

(48) Section 8101 is amended—

(A) by striking out “and” after the semicolon in paragraph (15);

(B) by striking out the period at the end of paragraph (16) and inserting a semicolon in place thereof; and

(C) by inserting the following new paragraphs after paragraph (16):

“(17) ‘student’ means an individual under 23 years of age who has not completed 4 years of education beyond the high school level and who is regularly pursuing a full-time course of study or training at an institution which is—

“Student.”

“(A) a school or college or university operated or directly supported by the United States, or by a State or local government or political subdivision thereof;

“(B) a school or college or university which has been accredited by a State or by a State-recognized or nationally recognized accrediting agency or body;

“(C) a school or college or university not so accredited but whose credits are accepted, on transfer, by at least three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited; or

“(D) an additional type of educational or training institution as defined by the Secretary of Labor.

Such an individual is deemed not to have ceased to be a student during an interim between school years if the interim is not more than 4 months and if he shows to the satisfaction of the Secretary that he has a bona fide intention of continuing to pursue a full-time course of study or training during the semester or other enrollment period immediately after the interim or during periods of reasonable duration during which, in the judgment of the Secretary, he is prevented by factors beyond his control from pursuing his education. A student whose 23rd birthday occurs during a semester or other enrollment period is deemed a student until the end of the semester or other enrollment period;

“(18) ‘price index’ means the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics; and

“Price index.”

“(19) ‘base month’ means the month of July 1966 and each later month which is used as a basis for calculating an increase under section 8146a of this title.”

“Base month.”

(49) Section 8103(a)(2) is amended by inserting “or another retirement system for employees of the Government” before the semicolon.

Post, p. 212.

80 Stat. 535.

80 Stat. 536.

(50) Section 8107 (a), (b) is amended to read:

“(a) If there is permanent disability involving the loss of use of a member or function of the body or involving disfigurement, the employee is entitled to basic compensation for the disability, as provided by the schedule in subsection (c) of this section, at the rate of 66⅔ percent of his monthly pay. The basic compensation is—

“(1) payable regardless of whether the cause of the disability originates in a part of the body other than that member;

“(2) payable regardless of whether the disability also involves another impairment of the body; and

“(3) in addition to compensation for temporary total or temporary partial disability.

“(b) With respect to any period after payments under subsection (a) of this section have ended, an employee is entitled to compensation as provided by—

“(1) section 8105 of this title if the disability is total; or

“(2) section 8106 of this title if the disability is partial.”

(51) Section 8108 is amended by striking out of the last sentence “for the purposes of disabilities specified by section 8107(b) of this title.”

(52) Section 8109(a)(1) is amended by striking out “, including a disability compensable under the schedule in section 8107(c) of this title because of section 8107(b) of this title”.

(53) Section 8110 is amended—

(A) by inserting the following new sentence flush at the end of subsection (a): “Notwithstanding paragraph (3) of this subsection, compensation payable for a child that would otherwise end because the child has reached 18 years of age shall continue if he is a student as defined by section 8101 of this title at the time he reaches 18 years of age for so long as he continues to be such a student or until he marries.”;

(B) by striking out “including compensation payable under the schedule in section 8107(c) by virtue of section 8107(b) of this title” in subsection (b)(1); and

(C) by striking out the last sentence of subsection (b).

(54) Section 8111(a) is amended by striking out “\$125” and inserting “\$300” in place thereof.

(55) Section 8112 is amended by striking out “may not exceed \$525 a month, and in case of total disability may not be less than \$180 a month” and inserting “may not be more than 75 percent of the monthly pay of the maximum rate of basic pay for GS-15, and in case of total disability may not be less than 75 percent of the monthly pay of the minimum rate of basic pay for GS-2”.

(56) Section 8116(a) is amended by inserting in the last sentence after “subchapter III of chapter 83 of this title” the following: “, or another retirement system for employees of the Government.”

(57) Section 8122 is amended—

(A) by striking out “due to radiation or other cause” in subsection (b); and

(B) by inserting the following new subsection after subsection (c):

“(d) The time limitations in subsections (a)–(c) of this section do not—

“(1) begin to run against a minor until he reaches 21 years of age or has had a legal representative appointed; or

“(2) run against an incompetent individual while he is incompetent and has no duly appointed legal representative.”

(58) Section 8124 is amended—

(A) by inserting the designation “(a)” before “The”, at the beginning thereof;

Ante, p. 209.

80 Stat. 544.

(B) by inserting the following new subsection at the end thereof:

"(b) (1) Before review under section 8128(a) of this title, a claimant for compensation not satisfied with a decision of the Secretary under subsection (a) of this section is entitled, on request made within 30 days after the date of the issuance of the decision, to a hearing on his claim before a representative of the Secretary. At the hearing, the claimant is entitled to present evidence in further support of his claim. Within 30 days after the hearing ends, the Secretary shall notify the claimant in writing of his further decision and any modifications of the award he may make and of the basis of his decision.

80 Stat. 545.

"(2) In conducting the hearing, the representative of the Secretary is not bound by common law or statutory rules of evidence, by technical or formal rules of procedure, or by section 554 of this title except as provided by this subchapter, but may conduct the hearing in such manner as to best ascertain the rights of the claimant. For this purpose, he shall receive such relevant evidence as the claimant adduces and such other evidence as he determines necessary or useful in evaluating the claim."; and

80 Stat. 334.

(C) by amending the catchline to read as follows:

§ 8124. Findings and award; hearings

(59) The analysis of chapter 81 is amended by striking out the following item:

"8124. Findings and award."

and by inserting the following item in place thereof:

"8124. Findings and award; hearings."

(60) Section 8131(c) is amended by inserting the following new sentence at the end thereof: "However, the beneficiary is entitled to not less than one-fifth of the net amount of a settlement or recovery remaining after the expenses thereof have been deducted."

(61) Section 8132 is amended by inserting the following new sentence at the end thereof: "However, the beneficiary is entitled to retain at least one-fifth of the net amount of the money or other property remaining after the expenses of a suit or settlement have been deducted, plus an amount equivalent to a reasonable attorney's fee proportionate to the refund to the United States."

(62) Section 8133 is amended—

(A) by inserting the following new sentence flush at the end of subsection (b): "Notwithstanding paragraph (3) of this subsection, compensation payable to or for a child, a brother or sister, or a grandchild that would otherwise end because the child, brother or sister, or grandchild has reached 18 years of age shall continue if he is a student as defined by section 8101 of this title at the time he reaches 18 years of age for so long as he continues to be such a student or until he marries."; and

Ante, p. 209.

(B) by amending subsection (e) to read:

"(e) In computing compensation under this section, the monthly pay is deemed not less than the minimum rate of basic pay for GS-2. However, the total monthly compensation may not exceed—

"(1) the monthly pay computed under section 8114 of this title; or

80 Stat. 540.

"(2) 75 percent of the monthly pay of the maximum rate of basic pay for GS-15."

(63) Section 8135 is amended—

(A) by inserting the designation "(a)" before the word "The" at the beginning thereof; and

(B) by inserting the following new subsection at the end thereof:

80 Stat. 547.

“(b) On remarriage, a widow or widower entitled to compensation under section 8133 of this title, shall be paid a lump sum equal to twenty-four times the monthly compensation payment (excluding compensation on account of another individual) to which he was entitled immediately before the remarriage.”

(64) Section 8142(c)(3) is amended by striking out “, territories and possessions of the United States,”.

(65) Section 8143 is amended—

(A) by amending subsection (a)(1) to read as follows:

“(1) the monthly pay of an enrollee is deemed that received at the minimum rate for GS-2;”;

(B) by amending subsection (a)(3) to read as follows:

“(3) ‘performance of duty’ does not include an act of an enrollee while absent from his assigned post of duty, except while participating in an activity (including an activity while on pass or during travel to or from the post of duty) authorized by or under the direction and supervision of the Job Corps.”; and

(C) by amending subsection (b) to read as follows:

80 Stat. 1473.

“(b) This subchapter applies to a volunteer in service to America during training under section 2991a(a) of title 42 and a volunteer in service to America assigned under section 2991a(a)(2) of title 42 to the same extent as enrollees of the Job Corps under subsection (a) of this section. However, for the purpose of the computation described in subsection (a)(1) of this section, the monthly pay of a volunteer is deemed that received at the minimum rate for GS-7.”

80 Stat. 531.
5 USC 8101 et
seq.

(66) (A) Chapter 81 is amended by inserting the following new section after section 8143:

“§ 8143a. Members of the National Teacher Corps

“Subject to the provisions of this section, this subchapter applies to a member of the National Teacher Corps. In administering this subchapter for a member covered by this section—

“(1) ‘performance of duty’ does not include an act of a member while—

“(A) on authorized leave; or

“(B) absent from his assigned post of duty, except while participating in an activity authorized by or under the direction or supervision of the Commissioner of Education; and

“(2) in computing compensation for disability or death, the monthly pay of a member is deemed his actual pay or that received at the minimum rate for GS-6, whichever is greater.”

(B) The analysis of chapter 81 is amended by inserting the following new item after item 8143:

“8143a. Members of the National Teacher Corps.”

(67) (A) Chapter 81 is amended by inserting the following new section after section 8146:

“§ 8146a. Cost-of-living adjustment of compensation

“(a) Each month the Secretary of Labor shall determine the percent change in the price index. Effective the first day of the third month which begins after the price index change equals a rise of at least 3 percent for 3 consecutive months over the price index for the latest base month, compensation payable on account of disability or death which occurred more than 1 year before that first day shall be increased by the percent rise in the price index (calculated on the highest level of the price index during the 3 consecutive months) adjusted to the nearest one-tenth of 1 percent.

“(b) The monthly compensation after adjustment under this section shall be fixed at the nearest dollar. However, the monthly compensation after adjustment shall reflect an increase of at least \$1.”

(B) The analysis of chapter 81 is amended by inserting the following new item after item 8146:

"8146a. Cost-of-living adjustment of compensation."

(68) Section 8147(a) is amended by inserting the following new sentence at the end thereof: "For the purpose of this subsection, 'administrative expenses' does not include expenses for legal services performed by or for the Secretary under sections 8131 and 8132 of this title."

80 Stat. 554.

(69) Chapter 81 is amended by striking out section 8148.

Repeal.

(70) The analysis of chapter 81 is amended by striking out the following item:

"8148. Reports."

(71) Section 8149 is amended—

(A) by inserting before the period at the end of the first sentence the following: "including rules and regulations for the conduct of hearings under section 8124 of this title"; and

Ante, p. 210.

(B) by inserting the following new sentence at the end thereof: "In adjudicating claims under section 8146 of this title, the Secretary may determine the nature and extent of the proof and evidence required to establish the right to benefits under this subchapter without regard to the date of injury or death for which claim is made."

(72) Section 8331 is amended—

80 Stat. 554.

(A) by amending paragraph (1)(B) and (C) to read as follows:

"(B) the Architect of the Capitol, an employee of the Architect of the Capitol, and an employee of the Botanic Garden;

"(C) a congressional employee as defined by section 2107 of this title (other than the Architect of the Capitol, an employee of the Architect of the Capitol, and an employee of the Botanic Garden), after he gives notice in writing to the official by whom he is paid of his desire to become subject to this subchapter;"

80 Stat. 409.

(B) by amending paragraph (1)(D) by striking out the words "come within the purview of" and inserting "become subject to" in place thereof;

(C) by amending paragraph (2) by striking out the words "come within the purview of" and inserting "become subject to" in place thereof;

(D) by amending paragraph (3)(B)(ii) by striking out the words "and 60e-11" and inserting "60e-11, 60e-12, and 60e-13" in place thereof;

(E) by amending paragraph (8)(C) by striking out the words "not within the purview of" and inserting "in which he does not continue subject to" in place thereof;

(F) by amending paragraph (13)(C) by striking out the words "Coast and Geodetic Survey" and inserting "Environmental Science Services Administration" in place thereof;

(G) by striking out the word "and" after the semicolon at the end of paragraph (14);

(H) by amending paragraph (15) to read as follows:

"(15) 'price index' means the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics; and"; and

"Price index."

(I) by inserting the following new paragraph after paragraph (15):

"Base month."

"(16) 'base month' means the month for which the price index showed a percent rise forming the basis for a cost-of-living annuity increase."

80 Stat. 567.

(73) Section 8332 is amended by inserting the following new subsection after subsection (j):

"(k) (1) An employee who enters on approved leave without pay to serve as a full-time officer or employee of an organization composed primarily of employees as defined by section 8331(1) of this title, within 60 days after entering on that leave without pay, may file with his employing agency an election to receive full retirement credit for his periods of that leave without pay and arrange to pay currently into the Fund, through his employing agency, amounts equal to the retirement deductions and agency contributions that would be applicable if he were in pay status. If the election and all payments provided by this paragraph are not made, the employee may not receive credit for the periods of leave without pay occurring after July 17, 1966, notwithstanding the second sentence of subsection (f) of this section. For the purpose of the preceding sentence, 'employee' includes an employee who was on approved leave without pay and serving as a full-time officer or employee of such an organization on July 18, 1966, and who filed a similar election before September 17, 1966.

"(2) An employee may deposit with interest an amount equal to retirement deductions representing any period or periods of approved leave without pay while serving, before July 18, 1966, as a full-time officer or employee of an organization composed primarily of employees as defined by section 8331(1) of this title. An employee who makes the deposit shall be allowed full retirement credit for the period or periods of leave without pay. If the employee dies, a survivor as defined by section 8331(10) of this title may make the deposit. If the deposit is not made in full, retirement credit shall be allowed in accordance with the second sentence of subsection (f) of this section."

(74) Section 8334(g) is amended—

(A) by striking out the word "or" at the end of paragraph (2);

(B) by striking out the period at the end of paragraph (3) and inserting "; or" in place thereof; and

(C) by inserting the following new paragraph after paragraph (3):

"(4) service performed before January 1, 1950, by natives of the Pribilof Islands in the taking and curing of fur seal skins and other activities in connection with the administration of the Pribilof Islands."

(75) Section 8336 (a) and (b) is amended to read as follows:

"(a) An employee who is separated from the service after becoming 55 years of age and completing 30 years of service is entitled to an annuity.

"(b) An employee who is separated from the service after becoming 60 years of age and completing 20 years of service is entitled to an annuity."

(76) Section 8337(e) is amended by striking out the words "within the purview of" wherever they appear and inserting "in which he is subject to" in place thereof.

(77) Section 8338(a) is amended by striking out the words "not within the purview of" and inserting "in which he does not continue subject to" in place thereof.

(78) Section 8339(g) is amended to read as follows:

"(g) The annuity computed under subsections (a), (b), and (e) of this section for an employee retiring under section 8336(d) of this title is reduced by $\frac{1}{6}$ of 1 percent for each full month the employee is under 55 years of age at the date of separation. The annuity

computed under subsections (c) and (e) of this section for a Member retiring under the second or third sentence of section 8336(f) of this title or the third sentence of section 8338(b) of this title is reduced by $\frac{1}{12}$ of 1 percent for each full month not in excess of 60 months, and $\frac{1}{6}$ of 1 percent for each full month in excess of 60 months, the Member is under 60 years of age at the date of separation."

(79) Section 8340 is amended to read as follows:

80 Stat. 576.

"§ 8340. Cost-of-living adjustment of annuities

"(a) Effective December 1, 1965, each annuity payable from the Fund having a commencing date before December 2, 1965, is increased by—

"(1) the percent rise in the price index, adjusted to the nearest $\frac{1}{10}$ of 1 percent, determined by the Civil Service Commission on the basis of the annual average price index for calendar year 1962 and the price index for the base month of July 1965; plus

"(2) $6\frac{1}{2}$ percent if the commencing date (or in the case of the survivor of a deceased annuitant the commencing date of the annuity of the retired employee) occurred before October 2, 1956, or $11\frac{1}{2}$ percent if the commencing date (or in the case of the survivor of a deceased annuitant the commencing date of the annuity of the retired employee) occurred after October 1, 1956.

Each annuity payable from the Fund (other than the immediate annuity of an annuitant's survivor or of a child entitled under section 8341(e) of this title) having a commencing date after December 1, 1965, but before January 1, 1966, is increased from its commencing date as if the annuity commencing date were December 1, 1965. Each survivor annuity authorized by—

Post, p. 216.

"(A) section 8 of the Act of May 29, 1930, as amended to July 6, 1950; or

"(B) section 2 of the Act of June 25, 1958 (72 Stat. 219); is increased by any additional amount required to make the total increase under this subsection equal to the smaller of 15 percent or \$10 a month.

62 Stat. 52;
64 Stat. 320.
74 Stat. 359.

"(b) Each month the Commission shall determine the percent change in the price index. Effective the first day of the third month that begins after the price index change equals a rise of at least 3 percent for 3 consecutive months over the price index for the base month, each annuity payable from the Fund having a commencing date not later than that effective date shall be increased by the percent rise in the price index (calculated on the highest level of the price index during the 3 consecutive months) adjusted to the nearest $\frac{1}{10}$ of 1 percent.

"(c) Eligibility for an annuity increase under this section is governed by the commencing date of each annuity payable from the Fund as of the effective date of an increase, except as follows:

"(1) Effective from its commencing date, an annuity payable from the Fund to an annuitant's survivor (except a child entitled under section 8341(e) of this title), which annuity commences the day after the death of the annuitant and after the effective date of the first increase under this section, shall be increased by the total percent increase the annuitant was receiving under this section at death. However, the increase in a survivor annuity authorized by section 8 of the Act of May 29, 1930, as amended to July 6, 1950, shall be computed as if the annuity commencing date had been the effective date of the first increase under this section.

"(2) For the purpose of computing an annuity that commences after the effective date of the first increase under this section to a child under section 8341(e) of this title, the items

Infra.

\$600, \$720, \$1,800, and \$2,160 appearing in section 8341(e) of this title shall be increased by the total percent increases allowed and in force under this section for employee annuities that commenced after October 1, 1956, and, in case of a deceased annuitant, the items 40 percent and 50 percent appearing in section 8341(e) of this title shall be increased by the total percent increase allowed and in force under this section to the annuitant at death.

“(d) This section does not authorize an increase in an additional annuity purchased at retirement by voluntary contributions.

“(e) The monthly installment of annuity after adjustment under this section shall be fixed at the nearest dollar. However, the monthly installment shall after adjustment reflect an increase of at least \$1.

“(f) Effective September 1, 1966, or on the commencing date of annuity, whichever is later, the annuity of each surviving spouse whose entitlement to annuity payable from the Fund resulted from the death of—

“(1) an employee or Member before October 11, 1962; or

“(2) a retired employee or Member whose retirement was based on a separation from service before October 11, 1962; is increased by 10 percent.”

80 Stat. 577.

(80) Section 8341 is amended—

(A) by amending subsection (a) (4) by striking out the words “received more than half his support from and”; and by striking out the words “21 years”, “21st birthday”, and “4 months” wherever they occur and inserting in place thereof the words “22 years”, “22nd birthday”, and “5 months”, respectively;

(B) by amending subsection (b) by striking out the last sentence and inserting the following new sentence in place thereof: “This annuity and the right thereto terminate on the last day of the month before—

“(1) the spouse of a retired employee dies, or remarries before becoming 60 years of age; or

“(2) the spouse of a retired Member dies or remarries.”;

(C) by amending subsection (d) by striking out the last sentence and inserting the following new sentence in place thereof: “This annuity and the right thereto terminate on the last day of the month before—

“(1) the widow or dependent widower dies;

“(2) the dependent widower becomes capable of self-support;

“(3) the widow or dependent widower of an employee remarries before becoming 60 years of age; or

“(4) the widow or dependent widower of a Member remarries.”;

(D) by amending subsection (e) to read as follows:

“(e) (1) If an employee or Member dies after completing at least 5 years of civilian service, or an employee or Member dies after retiring under this subchapter, and is survived by a spouse, each surviving child is entitled to an annuity equal to the smallest of—

“(A) 40 percent of the average pay of the employee or Member divided by the number of children;

“(B) \$600; or

“(C) \$1,800 divided by the number of children;

subject to section 8340 of this title. If the employee or Member is not survived by a spouse, each surviving child is entitled to an annuity equal to the smallest of—

“(i) 50 percent of the average pay of the employee or Member divided by the number of children;

“(ii) \$720; or

“(iii) \$2,160 divided by the number of children;

subject to section 8340 of this title.

Ante, p. 215.

"(2) The annuity of a child under this subchapter or under the Act of May 29, 1930, as amended from and after February 28, 1948, commences on the day after the employee or Member dies, or commences or resumes on the first day of the month in which the child later becomes or again becomes a student as described by subsection (a) (4) of this section, if any lump sum paid is returned to the Fund. This annuity and the right thereto terminate on the last day of the month before the child—

46 Stat. 468;
62 Stat. 48.

Ante, p. 216.

"(A) becomes 18 years of age unless he is then a student as described or incapable of self-support;

"(B) becomes capable of self-support after becoming 18 years of age unless he is then such a student;

"(C) becomes 22 years of age if he is then such a student and capable of self-support;

"(D) ceases to be such a student after becoming 18 years of age unless he is then incapable of self-support; or

"(E) dies or marries;

whichever first occurs. On the death of the surviving spouse or termination of the annuity of a child, the annuity of any other child or children shall be recomputed and paid as though the spouse or child had not survived the employee or Member."; and

(E) by inserting the following new subsection after subsection (f):

"(g) In the case of a surviving spouse whose annuity under this section is terminated after July 18, 1966, because of remarriage before becoming 60 years of age, annuity at the same rate shall be restored commencing on the day the remarriage is dissolved by death, annulment, or divorce, if—

"(1) the surviving spouse elects to receive this annuity instead of a survivor benefit to which he may be entitled, under this subchapter or another retirement system for Government employees, by reason of the remarriage; and

"(2) any lump sum paid on termination of the annuity is returned to the Fund."

(81) Section 8342 is amended—

80 Stat. 579.

(A) by amending subsection (a) by striking out the words "not within the purview of" and inserting "in which he does not continue subject to" in place thereof;

(B) by amending the first order of precedence in subsection (c) to read as follows:

"First, to the beneficiary or beneficiaries designated by the employee or Member in a signed and witnessed writing received in the Commission before his death. For this purpose, a designation, change, or cancellation of beneficiary in a will or other document not so executed and filed has no force or effect."; and

(C) by inserting at the end of subsection (c) the following new flush sentence: "For the purpose of this subsection, 'child' includes a natural child and an adopted child, but does not include a stepchild."

(82) Section 8343(a) (1) is amended by striking out the words "not within the purview of" and inserting "in which he does not continue subject to" in place thereof.

(83) Section 8344 is amended—

(A) by amending the third sentence of subsection (a) by inserting the words ", except for lump-sum leave payment purposes under section 5551 of this title" after the word "pay";

80 Stat. 488.

(B) by amending the penultimate sentence in subsection (a) to read as follows: "Notwithstanding the restrictions contained in section 115 of the Social Security Amendments of 1954 (68 Stat.

42 USC 410
note.

1087), a similar right to redetermination after deposit is applicable to an annuitant—

“(i) whose annuity is based on an involuntary separation from the service; and

“(ii) who is separated after July 11, 1960, following such a period of employment on a full-time basis that began before October 1, 1956.”;

(C) by amending subsection (b) (1) by striking out the words “within the purview of” and inserting “subject to” in place thereof; and

(D) by amending subsection (b) (2) (C) by inserting the words “, except for lump-sum leave payment purposes under section 5551 of this title” after the word “pay”.

80 Stat. 583.

(84) Section 8347 is amended by inserting the following new subsection after subsection (k) thereof:

“(l) The Director or Acting Director of the Botanic Garden may exclude from the operation of this subchapter an employee under the Botanic Garden whose employment is temporary or of uncertain duration.”

(85) Section 8348 is amended—

(A) by amending subsection (a) to read as follows:

“(a) There is a Civil Service Retirement and Disability Fund. The Fund is appropriated for payment of—

“(1) benefits as provided by this subchapter; and

“(2) administrative expenses incurred by the Civil Service Commission in placing in effect each annuity adjustment granted under section 8340 of this title.”; and

Ante, p. 215.

(B) by amending subsection (f) by striking out the words “Civil Service Commission” and inserting “Commission” in place thereof.

(86) Section 8502 is amended—

(A) by striking out “Except as provided by subsection (c) of this section, the” in subsection (b) and inserting “The” in place thereof; and

(B) by striking out subsection (c).

(87) Section 8503 is amended—

(A) by striking out the last sentence in subsection (a); and

(B) by amending subsection (b) to read:

“(b) In the case of a Federal employee whose Federal service and Federal wages are assigned under section 8504 of this title to the Virgin Islands, the Secretary, under regulations prescribed by him and on the filing of a claim for compensation under this subsection by the Federal employee, shall pay the compensation to him in the same amounts, on the same terms, and subject to the same conditions as would be paid to him under the unemployment compensation law of the District of Columbia if his Federal service and Federal wages had been included as employment and wages under that law. However, if the Federal employee, without regard to his Federal service and Federal wages, has employment or wages sufficient to qualify for compensation during the benefit year under that law, then payments of compensation under this subsection may be made only on the basis of his Federal service and Federal wages.”

(88) Section 8504 is amended—

(A) by amending paragraph (3) to read:

“(3) if his first claim is filed while he is residing in the Virgin Islands, his Federal service and Federal wages shall be assigned to the Virgin Islands.”; and

(B) by striking out the last sentence.

(89) Section 8521 (a) is amended—

(1) by striking out “and” after the semicolon at the end of paragraph (1) (B) (ii);

(2) by striking out the period at the end of paragraph (2) and inserting “; and” in place thereof; and

(3) by inserting the following new paragraph after paragraph (2):

“(3) ‘State’ means the several States, the District of Columbia, and the Commonwealth of Puerto Rico.”

(90) Section 8525 is amended by striking out subsection (a) thereof.

80 Stat. 591.

(91) Section 8705 is amended—

(A) by amending the first order of precedence in subsection (a) to read as follows:

“First, to the beneficiary or beneficiaries designated by the employee in a signed and witnessed writing received before death in the employing office or, if insured because of receipt of annuity or of benefits under subchapter I of chapter 81 of this title as provided by section 8706 (b) or (c) of this title, in the Civil Service Commission. For this purpose, a designation, change, or cancellation of beneficiary in a will or other document not so executed and filed has no force or effect.”; and

(B) by striking out “Civil Service” in subsection (c).

(92) Section 8706 is amended by inserting the following new subsection after subsection (d):

“(e) Notwithstanding subsections (a)–(c) of this section, an employee who enters on approved leave without pay to serve as a full-time officer or employee of an organization composed primarily of employees as defined by section 8701(a) of this title, within 60 days after entering on that leave without pay, may elect to continue his insurance and arrange to pay currently into the Employees’ Life Insurance Fund, through his employing agency, both employee and agency contributions from the beginning of leave without pay. The employing agency shall forward the premium payments to the Fund. If the employee does not so elect, his insurance will continue during nonpay status and stop as provided by subsection (a) of this section.”

(93) Section 8713 is amended—

(A) by amending the catchline to read:

“§ 8713. Advisory committee”;

(B) by striking out subsection (a); and

(C) by striking out “The Chairman of the Commission” in subsection (b) and inserting in place thereof “The Chairman of the Civil Service Commission”.

(94) The analysis of chapter 87 is amended by striking out the following item:

“8713. Advisors.”

and inserting the following item in place thereof:

“8713. Advisory committee.”

(95) Section 8901(5) is amended by striking out the figure “21” wherever it appears and inserting the figure “22” in place thereof.

(96) Section 8906 is amended—

(A) by amending subsection (a) to read as follows:

“(a) Except as provided by subsection (b) of this section, the biweekly Government contribution for health benefits for an employee or annuitant enrolled in a health benefits plan under this chapter, in addition to the contribution required by subsection (c) of this section, is \$1.62 if the enrollment is for self alone or \$3.94 if the enrollment is for self and family.”;

(B) by striking out the words “described by section 8903 (3) or (4) of this title” in subsection (b);

(C) by inserting "(1)" immediately after "(e)" in subsection (e); and

(D) by inserting the following new paragraph after subsection (e):

"(2) An employee who enters on approved leave without pay to serve as a full-time officer or employee of an organization composed primarily of employees as defined by section 8901 of this title, within 60 days after entering on that leave without pay, may file with his employing agency an election to continue his health benefits enrollment and arrange to pay currently into the Employees Health Benefits Fund, through his employing agency, both employee and agency contributions from the beginning of leave without pay. The employing agency shall forward the enrollment charges so paid to the Fund. If the employee does not so elect, his enrollment will continue during nonpay status and end as provided by paragraph (1) of this subsection and implementing regulations."

(97) Section 5341(a) is amended by inserting the following new sentence at the end thereof: "Subject to section 213(f) of title 29, the rates may not be less than the appropriate rates provided for by section 206(a)(1) of title 29."

(98) Section 902 is amended—

(A) by striking out paragraph (1) (B) and (C) and inserting in place thereof:

"(B) an office or officer in the executive branch; and

"(C) any and all parts of the government of the District of Columbia other than the courts thereof;";

(B) by striking out the word "and" at the end of paragraph (1);

(C) by striking out the period at the end of paragraph (2) and inserting "; and" in place thereof; and

(D) by inserting the following new paragraph after paragraph (2):

"(3) 'officer' is not limited by section 2104 of this title."

(99) Section 903(a)(5) is amended by striking out "in the civil service or uniformed services".

(100) Section 8113(b) is amended by striking out "shall" and inserting "may" in place thereof.

SEC. 2. The typographical error in paragraph (7) of section 14d, headed "Sections of title 14, United States Code", as amended (80 Stat. 1124), is corrected by striking out "Section 471 (a) and (b)" and inserting "Section 461 (a) and (b)" in place thereof.

SEC. 3. Title 10, United States Code, is amended as follows:

(1) In section 280, strike out "6150".

(2) Chapter 80 is repealed. In the analysis of part II of Subtitle A, strike out the item relating to chapter 80.

(3) In section 1586(g)(2), strike out "compensation schedule for the General Schedule of the Classification Act of 1949, as amended," and insert "General Schedule as prescribed in section 5104 of title 5" in place thereof.

(4) In subsections (c) and (d) of section 2031, strike out the words "noncommissioned and commissioned officers" wherever they appear and insert "officers and noncommissioned officers" in place thereof.

(5) In the analysis of chapter 559, strike out item 6112.

(6) In section 8851(a), insert "whose name is not on a recommended list for promotion to the reserve grade of brigadier general" after "in the reserve grade of colonel".

SEC. 4. Section 107(c) of title 32, United States Code, is amended by striking out "251 and 252" and inserting "402 and 403" in place thereof.

SEC. 5. Title 37, United States Code, is amended as follows:

80 Stat. 600.

71 Stat. 514.

80 Stat. 838.

80 Stat. 394.

76 Stat. 502.

68 Stat. 1238.

70A Stat. 14.

Repeal.

80 Stat. 1016.

10 USC 1571-

1577.

74 Stat. 325.

78 Stat. 1063.

72 Stat. 1537.

70A Stat. 600.

- (1) In section 415(d)(3), strike out "is".
- (2) In section 554(a), strike out "when it is located outside the United States, or in Alaska or Hawaii".

76 Stat. 477.
37 USC 415.
80 Stat. 627.

- (3) In section 1007(b), strike out the second sentence.

76 Stat. 491.

SEC. 6. (a) The Secretary of Labor shall act on any application for an Exemplary Rehabilitation Certificate received under this section from any person who was discharged or dismissed under conditions other than honorable, or who received a general discharge, at least three years before the date of receipt of such application.

Armed Forces.
Exemplary Rehabilitation Certificates, issuance to certain former members.

(b) In the case of any person discharged or dismissed from an armed force under conditions other than honorable before or after the enactment of this section, the Secretary of Labor may consider an application for, and issue to that person, an Exemplary Rehabilitation Certificate dated as of the date of issuance, if it is established to his satisfaction that such person has rehabilitated himself, that his character is good, and that his conduct, activities, and habits since he was so discharged or dismissed have been exemplary for a reasonable period of time, but not less than three years. The Secretary of Labor shall supply to the Secretary of Defense a copy of each Exemplary Rehabilitation Certificate which is issued, and the Secretary of Defense shall place it in the military personnel record of the individual to whom the certificate is issued.

(c) For the purposes of subsection (b), oral and written evidence, or both, may be used, including—

- (1) a notarized statement from the chief law enforcement officer of the town, city, or county in which the applicant resides, attesting to his general reputation so far as police and court records are concerned;
- (2) a notarized statement from his employer, if employed, giving the employer's address, and attesting to the applicant's general reputation and employment record;
- (3) notarized statements from not less than five persons, attesting that they have personally known him for at least three years as a person of good reputation and exemplary conduct, and the extent of personal contact they have had with him; and
- (4) such independent investigations as the Secretary of Labor may make.

Any person making application under this section may appear in person or by counsel before the Secretary of Labor.

(d) No benefits under any laws of the United States (including but not limited to those relating to pensions, compensation, hospitalization, military pay and allowances, education, loan guarantees, retired pay, or other benefits based on military service) shall accrue to any person to whom an Exemplary Rehabilitation Certificate is issued under subsection (b) unless he would be entitled to those benefits under his original discharge or dismissal.

(e) The Secretary of Labor shall require that the national system of public employment offices established under the Act of June 6, 1933, chapter 49, as amended (29 U.S.C. 49 et seq.), accord to any person who has been discharged or dismissed under conditions other than honorable but who has been issued an Exemplary Rehabilitation Certificate special counseling and job development assistance.

48 Stat. 113.

(f) The Secretary of Labor shall report to Congress not later than January 15 of each year the number of cases reviewed by him under this section and the number of Exemplary Rehabilitation Certificates issued.

Report to Congress.

(g) In carrying out the provisions of this section the Secretary of Labor is authorized to (1) issue regulations; (2) delegate his

authority; (3) utilize the services of the Civil Service Commission for making such investigations as may be mutually agreeable.

SEC. 7. Nothing in this or any other Act makes the increases authorized by section 1 (49)–(52), (53) (B) and (C), (54)–(58), (60), (61), (62) (B), (63), (67), (68), and (71) of this Act applicable to—

(1) an employee or individual not within the definition of “employee” in section 8101(1) (A), (B), or (D) of title 5, United States Code;

(2) a member of the Metropolitan Police or the Fire Department of the District of Columbia who is pensioned or pensionable under sections 521–535 of title 4, District of Columbia Code; or

(3) a member of a uniformed service.

SEC. 8. Section 18(b) of the Fair Labor Standards Act (29 U.S.C. 218(b)) is amended to read:

“(b) Notwithstanding any other provision of this Act (other than section 13(f)) or any other law—

“(1) any Federal employee in the Canal Zone engaged in employment of the kind described in section 5102(c) (7) of title 5, United States Code, or

“(2) any employee employed in a nonappropriated fund instrumentality under the jurisdiction of the Armed Forces, shall have his basic compensation fixed or adjusted at a wage rate that is not less than the appropriate wage rate provided for in section 6(a) (1) of this Act (except that the wage rate provided for in section 6(b) shall apply to any employee who performed services during the workweek in a work place within the Canal Zone), and shall have his overtime compensation set at an hourly rate not less than the overtime rate provided for in section 7(a) (1) of this Act.”

SEC. 9. (a) The legislative purpose in enacting sections 1–8 of this Act is to restate, without substantive change, the laws replaced by those sections on the effective date of this Act. Laws effective after February 21, 1967, that are inconsistent with this Act are considered as superseding it to the extent of the inconsistency.

(b) A reference to a law replaced by sections 1–8 of this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

(c) An order, rule, or regulation in effect under a law replaced by sections 1–8 of this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

(d) An action taken or an offense committed under a law replaced by sections 1–8 of this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

(e) An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of the caption or catchline thereof.

(f) The enactment of this Act does not increase or decrease the pay, allowances, compensation, or annuity of any person.

(g) If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision of this Act is held invalid in one or more of its applications, the provision remains in effect in all valid applications that are severable from the invalid application or applications.

(h) Section 1(3), (10), (11), (12), (22), (23), (83) (A) and (D), (89), (98), (99), and (100) of this Act is effective as of September 6, 1966, for all purposes.

(i) Section 2 of this Act is effective as of November 2, 1966, for all purposes.

80 Stat. 532.

71 Stat. 391.

80 Stat. 841.

71 Stat. 514.
29 USC 213.

80 Stat. 445.

80 Stat. 838.
29 USC 206.

80 Stat. 841.
29 USC 207.

Severability
provision.

Effective dates.

SEC. 10. (a) The right to a deferred annuity on satisfaction of the conditions attached thereto is continued notwithstanding the repeal by this Act of the law conferring the right.

(b) The laws specified in the following schedule are repealed except with respect to rights and duties that matured, penalties that were incurred, and proceedings that were begun, before the effective date of this Act and except as provided by section 9 of this Act:

Repeals.

STATUTES AT LARGE

Date	Chapter	Section	Statutes at Large	
			Volume	Page
1877 Feb. 27	69	1 (11th full paragraph on p. 251)	19	251
1884 July 5	221	1	23	118
1887 Jan. 3	12	.....	24	354
1890 July 26	721	.....	26	292
1895 Mar. 2	186	(Last paragraph)	28	843
1898 Apr. 21	184	.....	30	360
1913 Oct. 22	32	1 (last 2 paragraphs on p. 223)	38	223
1917 Feb. 26	125	.....	39	942
1928 May 22	684	.....	45	710
1938 Apr. 5	73	.....	52	200

Date	Public Law	Section	Statutes at Large	
			Volume	Page
1958 June 20	85-462	9	72	213
1960 Sept. 8	86-722	(6th paragraph on p. 828)	74	828
Sept. 13	86-778	542(a)	74	985
1962 Oct. 11	87-793	602(c)	76	846
Do...	87-793	1007	76	868
1964 Aug. 14	88-426	125	78	412
Aug. 19	88-448	205	78	488
Sept. 3	88-569	6(c) (3d through 13th words)	78	906
1965 Aug. 9	89-115	4 (b)-(d)	79	449
Aug. 26	89-136	601 (b), (c)	79	569, 570
Sept. 9	89-174	3(a) (last sentence)	79	667
Do...	89-174	4 (a) (words between 4th and 9th commas in 1st sentence), (b) (last 29 words)	79	668
Do...	89-174	5(b) (as applicable to sec. 303(e) (94) of the Federal Executive Salary Act of 1964)	79	669
Do...	89-174	6(b)	79	669
Sept. 27	89-205	.....	79	840
Sept. 29	89-209	5(d) (1) (2d sentence)	79	847
Do...	89-209	7(b) (1) (2d sentence)	79	850
Oct. 2	89-234	1(b) (last sentence)	79	903
Oct. 9	89-253	6	79	973
Oct. 19	89-261	.....	79	987
Do...	89-271	.....	79	992
Oct. 29	89-301	1-3, 9, 11(d), 13, 15(b)-(d), 16-18	79	1111, 1112, 1118-1120, 1123-1124
Nov. 1	89-314	.....	79	1162
Nov. 8	89-329	515(b)	79	1257
Do...	89-332	.....	79	1281
Do...	89-348	1(16)	79	1311

STATUTES AT LARGE—Continued

Date	Public Law	Section	Statutes at Large	
			Volume	Page
1966				
Feb. 19	89-355	3(a) (1st sentence, less 1st 20 words)	80	6
Mar. 3	89-358	11	80	28
Mar. 23	89-373	.....	80	78
Mar. 30	89-378	.....	80	93
Do	89-380	.....	80	94
Mar. 31	89-383	.....	80	98
Apr. 25	89-407	.....	80	131
June 9	89-444	4	80	198
June 29	89-478	.....	80	231
July 4	89-488	.....	80	252
July 5	89-492	1, 3-5	80	262
July 18	89-504	1, 101-103, 108 (b)-(d), 109	80	288, 289, 293
Do	89-504	302(d)	80	295
Do	89-504	404 (a)-(c), 405-408, 410	80	297-300
Do	89-504	501-509	80	300-303
Do	89-504	601-603	80	303
Do	89-504	701	80	303
July 19	89-512	.....	80	318
July 21	89-516	.....	80	323
Sept. 9	89-563	115 (words after 2d comma in 2d sentence)	80	727
Do	89-564	201 (words after 2d comma in 2d sentence)	80	735
Do	89-564	205	80	736
Sept. 26	89-604	.....	80	846
Oct. 15	89-670	3(f)(1) (last 15 words in 2d sentence)	80	932
Do	89-670	3(f)(2) (last 15 words in 2d sentence)	80	932
Do	89-673	1, 2 (less applicability to § 6), 3-5, 7, 8 (1) and (2)	80	952
Nov. 2	89-702	208(c)	80	1096
Do	89-737	2-4	80	1164
Nov. 8	89-794	109	80	1453
Do	89-794	801 "Sec. 804(b) (as applicable to § 106(c) of the Economic Opportunity Act of 1964)."	80	1474

(c) The provisions of the reorganization plans specified in the following schedule have no further effect.

REORGANIZATION PLANS

Year	Plan No.	Section	Statutes at Large	
			Volume	Page
1953	1	3	67	631
1965	2	4(a) (2d sentence, less 1st 18 words)	79	1318
1965	4	11 (a), (e) (as applicable to (a))	79	1322
1965	4	12 (as applicable to § 11(a))	79	1322
1965	4	13 (as applicable to § 11(a))	79	1322
1966	2	2 (last 20 words)	80	1609

Approved September 11, 1967.

Public Law 90-84

AN ACT

September 11, 1967
[S. 1633]

To amend the Act of June 12, 1960, relating to the Potomac interceptor sewer, to increase the amount of the Federal contribution to the cost of that sewer.

D.C.
Potomac inter-
ceptor sewer.
Federal contri-
bution, increase.
74 Stat. 210.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 2 of the Act of June 12, 1960 (D.C. Code, sec. 43-1621), is amended by inserting immediately after the first sentence the following: "In the event any agency or local authority shall make lump sum payment of its entire portion of the cost, or one or more lump sum payments of the whole or any part of the remainder thereof, of all planning and construction (including acquisition of rights-of-way) of the interceptor, the agreement between the Commissioners and such agency or local authority shall provide or shall be modified to provide, as the case may be, that the charges to such local authority or agency for the use of the Potomac interceptor shall take into consideration