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For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

#### **§ 766. Restoration to active duty after retirement for disability**

Any officer or employee retired under section 765 of this title may, upon recovery, be restored to active duty, and shall from time to time, before reaching the age at which he may be retired under section 763 of this title be reexamined by a medical officer of the United States upon the request of the Secretary of Transportation.

(Mar. 4, 1925, ch. 523, § 2, 43 Stat. 1262; 1939 Reorg. Plan No. II, § 2(a), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1432; Pub. L. 89-670, § 6(b)(1), Oct. 15, 1966, 80 Stat. 938.)

#### TRANSFER OF FUNCTIONS

The officers or employees to be retired refer to the officers and employees of the Lighthouse Service. The Lighthouse Service was under the Secretary of Commerce prior to the transfer and consolidation of the Bureau of Lighthouses, of which the Lighthouse Service was a part, with the Coast Guard which was under the Secretary of the Treasury by Reorg. Plan No. II, § 2(a), set out in the Appendix to Title 5, Government Organization and Employees. Subsequently, the functions of the Secretary of the Treasury relating to the Coast Guard were transferred to the Secretary of Transportation by section 6(b)(1) of Pub. L. 89-670. See section 108 of Title 49, Transportation.

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

#### **§§ 767 to 769. Repealed. Aug. 4, 1949, ch. 393, § 20, 63 Stat. 561**

Section 767, acts Mar. 3, 1915, ch. 81, § 7, 38 Stat. 928; June 20, 1918, ch. 103, § 7, 40 Stat. 608, related to administration of oaths to employees of Lighthouse Service.

Section 768, acts Aug. 24, 1912, ch. 355, § 8, 37 Stat. 487; Mar. 3, 1915, ch. 81, § 7, 38 Stat. 928; June 20, 1918, ch. 103, § 7, 40 Stat. 608; June 6, 1939, ch. 185, 53 Stat. 810, related to oaths to expense accounts.

Section 769, act Feb. 25, 1929, ch. 313, § 3, 45 Stat. 1262, related to aids to navigation in Panama. See section 81 of Title 14, Coast Guard.

#### EFFECTIVE DATE OF REPEAL

Repeal effective first day of third month after approval by President [Aug. 4, 1949], see section 19 of act Aug. 4, 1949, set out as an Effective Date note preceding chapter 1 of Title 14, Coast Guard.

#### **§ 770. Regulations for expenditure of moneys accruing from commutation of rations and provisions**

Money accruing from commutation of rations and provisions for working parties in the field,

officers and crews of light vessels and tenders, and officials and other authorized persons on board of such tenders or vessels, after payment on proper vouchers to the officer in charge of the mess of such vessel or party, as provided by law, may be expended and accounted for pursuant to regulations prescribed by the Secretary of Transportation, notwithstanding the provisions of sections 1321 and 1322(a) of title 31.

(May 13, 1938, ch. 215, § 3, 52 Stat. 353; 1939 Reorg. Plan No. II, § 2(a), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1432; Pub. L. 89-670, § 6(b)(1), Oct. 15, 1966, 80 Stat. 938.)

#### CODIFICATION

“Sections 1321 and 1322(a) of title 31” substituted in text for “the Act of June 26, 1934 (48 Stat. 1233) [31 U.S.C. 725s]” on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

#### TRANSFER OF FUNCTIONS

The money accruing from commutation of rations and provisions refer to such moneys of persons in the Lighthouse Service. The Lighthouse Service was under the Secretary of Commerce prior to the transfer and consolidation of the Bureau of Lighthouses, of which the Lighthouse Service was a part, with the Coast Guard which was under the Secretary of the Treasury by Reorg. Plan No. II, § 2(a), set out in the Appendix to Title 5, Government Organization and Employees. Subsequently, the functions of the Secretary of the Treasury relating to the Coast Guard were transferred to the Secretary of Transportation by section 6(b)(1) of Pub. L. 89-670. See section 108 of Title 49, Transportation.

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

#### **§ 771. Benefits for surviving spouses of Lighthouse Service employees; death of employee during retirement; amount of payment**

Where—

(1) any former employee of the Lighthouse Service has died or shall hereafter die at a time when that employee was receiving or was entitled to receive retirement pay under section 763 of this title, as amended and supplemented, and

(2) the surviving spouse of the former employee was married to the former employee prior to the retirement of the former employee from the Lighthouse Service and has not remarried—

the surviving spouse, so long as the surviving spouse does not remarry, shall be paid \$100 per month by the Secretary of Transportation.

(Aug. 19, 1950, ch. 761, § 1, 64 Stat. 465; Pub. L. 85-351, § 1, Mar. 28, 1958, 72 Stat. 49; Pub. L. 89-670, § 6(b)(1), Oct. 15, 1966, 80 Stat. 938; Pub. L. 90-163, § 1, Nov. 29, 1967, 81 Stat. 518; Pub. L. 90-167, § 1(a), Nov. 29, 1967, 81 Stat. 520; Pub. L. 98-557, § 15(b)(1), Oct. 30, 1984, 98 Stat. 2866.)

#### AMENDMENTS

1984—Pub. L. 98-557 substituted references to surviving spouse for references to widow.