

retary of Labor at beginning of each regular session covering work for preceding fiscal year under this subchapter, prior to repeal by Pub. L. 90-83, §1(69), Sept. 11, 1967, 81 Stat. 213.

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-247 substituted “or receipt” for “a receipt”.

EFFECTIVE DATE

Pub. L. 103-333, title I, §101(c), Sept. 30, 1994, 108 Stat. 2548, provided that: “The amendments made by this section [enacting this section and amending section 1920 of Title 18, Crimes and Criminal Procedure] shall take effect on the date of the enactment of this Act [Sept. 30, 1994]. The amendments made by subsection (a) [enacting this section] shall apply to claims filed before, on, or after the date of enactment of this Act, and shall apply only to individuals convicted after such date of enactment.”

§ 8149. Regulations

The Secretary of Labor may prescribe rules and regulations necessary for the administration and enforcement of this subchapter including rules and regulations for the conduct of hearings under section 8124 of this title. The rules and regulations shall provide for an Employees’ Compensation Appeals Board of three individuals designated or appointed by the Secretary with authority to hear and, subject to applicable law and the rules and regulations of the Secretary, make final decisions on appeals taken from determinations and awards with respect to claims of employees. 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.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 555; Pub. L. 90-83, §1(71), Sept. 11, 1967, 81 Stat. 213.)

HISTORICAL AND REVISION NOTES  
1966 ACT

| <i>Derivation</i> | <i>U.S. Code</i>                  | <i>Revised Statutes and Statutes at Large</i>                                |
|-------------------|-----------------------------------|--|
| .....             | 5 U.S.C. 783 (less last 9 words). | Sept. 7, 1916, ch. 458, §32 (less last 9 words), 39 Stat. 749.               |
| .....             | [Uncodified].                     | 1946 Reorg. Plan No. 2, §3 (2d sentence), eff. July 16, 1946, 60 Stat. 1095. |
| .....             | [Uncodified].                     | 1950 Reorg. Plan No. 19, §2, eff. May 24, 1950, 64 Stat. 1272.               |

The words “administration and” are added for clarity.

Administration of this subchapter was transferred to the Secretary of Labor by section 1 of 1950 Reorg. Plan No. 19, 64 Stat. 1271 (see section 8145).

The first sentence of section 2 of 1950 Reorg. Plan No. 19 is omitted as executed. The word “employees” is co-extensive with and substituted for “employees of the Federal Government or of the District of Columbia” in view of the definition of “employee” in section 8101.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

1967 ACT

| <i>Section of title 5</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i>                        |
|---------------------------|---------------------------|--|
| 8149 .....                | 5 App.: 783.              | July 4, 1966, Pub. L. 89-488, §§11(a), 12, 80 Stat. 255. |

In the first sentence, the words “section 8124 of this title” are substituted for “section 36” to reflect the codification of that section in title 5, United States Code.

In the second sentence, the word “adjudicating” is substituted for “in the adjudication of”. The words “section 8146 of this title” and “this subchapter” are substituted for “section 42 of this Act” and “this Act”, respectively, to reflect the codification of the Federal Employees’ Compensation Act in title 5, United States Code.

PERSONNEL NOT AFFECTED BY 1967 INCREASE

Increases authorized under amendment by section 1(71) of Pub. L. 90-83 not applicable to specified personnel, see section 7 of Pub. L. 90-83, set out as a note under section 8103 of this title.

§ 8150. Effect on other statutes

(a) This subchapter does not affect the maritime rights and remedies of a master or member of the crew of a vessel.

(b) Section 8141 of this title and section 9441 of title 10 do not confer military or veteran status on any individual.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 555.)

HISTORICAL AND REVISION NOTES

| <i>Derivation</i> | <i>U.S. Code</i>   | <i>Revised Statutes and Statutes at Large</i>     |
|-------------------|--------------------|---|
| (a) .....         | 5 U.S.C. 791-4(b). | Oct. 14, 1949, ch. 691, §305(b), 63 Stat. 868.    |
| (b) .....         | 5 U.S.C. 803a.     | Aug. 3, 1956, ch. 926, §1 “Sec. 4”, 70 Stat. 981. |

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

§ 8151. Civil service retention rights

(a) In the event the individual resumes employment with the Federal Government, the entire time during which the employee was receiving compensation under this chapter shall be credited to the employee for the purposes of within-grade step increases, retention purposes, and other rights and benefits based upon length of service.

(b) Under regulations issued by the Office of Personnel Management—

(1) the department or agency which was the last employer shall immediately and unconditionally accord the employee, if the injury or disability has been overcome within one year after the date of commencement of compensation or from the time compensable disability recurs if the recurrence begins after the injured employee resumes regular full-time employment with the United States, the right to resume his former or an equivalent position, as well as all other attendant rights which the employee would have had, or acquired, in his former position had he not been injured or disabled, including the rights to tenure, promotion, and safeguards in reductions-in-force procedures, and