

(Added Pub. L. 109-163, div. A, title V, §522(c)(1), Jan. 6, 2006, 119 Stat. 3241.)

CHAPTER 607—RETIREMENT OF CIVILIAN MEMBERS OF THE TEACHING STAFFS OF THE UNITED STATES NAVAL ACADEMY AND UNITED STATES NAVAL POSTGRADUATE SCHOOL

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AMENDMENTS

2006—Pub. L. 109-364, div. A, title X, §1071(a)(35), Oct. 17, 2006, 120 Stat. 2400, substituted “Civilian member:” for “Civilian member;” in item 7081.

§ 7081. Civilian member: definition; exceptions

(a) In this chapter, the term “civilian member” means a civilian member of the teaching staff of the United States Naval Academy or the United States Naval Postgraduate School. It includes the Provost and Academic Dean of the Postgraduate School, senior professors, professors, associate professors, assistant professors, chief instructors, assistant chief instructors, and instructors.

(b) This chapter does not apply to any civilian member who was employed at the Naval Academy or the Postgraduate School on January 16, 1936, and who did not elect to participate in the benefits provided by the Act of January 16, 1936, ch. 3 (49 Stat. 1092).

(c) This chapter does not apply to any person who was a civilian member after September 30, 1956.

(Aug. 10, 1956, ch. 1041, 70A Stat. 438; Pub. L. 85-861, §1(149), Sept. 2, 1958, 72 Stat. 1513; Pub. L. 101-189, div. A, title XVI, §1622(e)(8), Nov. 29, 1989, 103 Stat. 1605; Pub. L. 108-375, div. A, title V, §557(b)(4), Oct. 28, 2004, 118 Stat. 1916.)

HISTORICAL AND REVISION NOTES
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7081(a)	34 U.S.C. 1073d.	Jan. 16, 1936, ch. 3, § 5, 49 Stat. 1093; Nov. 28, 1943, ch. 331, § 2, 57 Stat. 595.
	34 U.S.C. 1074 (less 1st 98 words).	June 10, 1946, ch. 298 (less 1st 98 words), 60 Stat. 236.
	34 U.S.C. 1076b (last sentence).	July 31, 1947, ch. 420, § 3 (last sentence), 61 Stat. 760; Aug. 30, 1954, ch. 1076, §1(21), 68 Stat. 968.
7081(b)	34 U.S.C. 1073c.	Jan. 16, 1936, ch. 3, § 4, 49 Stat. 1092.
	34 U.S.C. 1073c-1 (2d proviso).	Jan. 16, 1936, ch. 3, § 4A (2d proviso); added Nov. 28, 1943, ch. 331, § 1, 57 Stat. 594.

Section 4 of the Act of January 16, 1936, ch. 3, 49 Stat. 1092, provided that persons who were then members of the teaching staff should have the right to participate in benefits under the Act if they requested such participation within 60 days. Members who were then under the civil-service retirement system were required to choose whether they would remain under it or would

participate in the system established by the 1936 Act. They could not come under both. The section also authorized the Secretary of the Navy to supplement the retired income of members who elected to come under the 1936 Act and whose age in 1936 was such that they could not purchase adequate annuities before retiring. The provisions whereby members could elect to participate were temporary and are executed. The provisions relating to retired income are superseded by §4A, added by the Act of November 28, 1943, ch. 331, 57 Stat. 594. The only remaining effect of §4 and the second proviso of §4A is to exclude from the benefits and requirements of the 1936 Act persons who were members of the teaching staff in 1936 and did not elect to participate.

1958 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7081(c)	[No source].	[No source].

Subsection (c) is added to reflect the effect on chapter 607 of this title of the Act of July 31, 1956, ch. 804, §402(a) (70 Stat. 760) which brought the civilian faculties of the Naval Academy and Naval Postgraduate School under the Civil Service Retirement Act effective October 1, 1956, and provided that on and after that date the Act of January 16, 1936, ch. 3 (49 Stat. 1092) would no longer apply to civilians employed at those schools on or after that date.

REFERENCES IN TEXT

Act of January 16, 1936, ch. 3 (49 Stat. 1092), referred to in subsec. (b), was classified to sections 1073 to 1073f of former Title 34, Navy, and was repealed by act Aug. 10, 1956, ch. 1041, §53, 70A Stat. 641. See section 7081 et seq. of this title.

AMENDMENTS

2004—Subsec. (a). Pub. L. 108-375 substituted “Provost and Academic Dean” for “Academic Dean”.

1989—Subsec. (a). Pub. L. 101-189 inserted “, the term” after “In this chapter”.

1958—Subsec. (c). Pub. L. 85-861 added subsec. (c).

§ 7082. Deferred annuity policy required

Each civilian member, as a part of his contract of employment, shall carry, during his employment, a deferred annuity policy, having no cash surrender or loan provision, in a joint-stock life insurance corporation that is incorporated under the laws of a State and has a charter restriction that its business must be conducted without profit to its stockholders.

(Aug. 10, 1956, ch. 1041, 70A Stat. 439.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7082	34 U.S.C. 1073.	Jan. 16, 1936, ch. 3, § 1, 49 Stat. 1092.

The words “whose employment commences from and after the date of approval of this act” are omitted as surplusage. Under §4 of the Act, members already employed when the Act was approved were given 60 days in which to decide whether or not they wished to participate in the benefits provided by the Act. Those who chose not to participate are excluded from the application of this chapter by §7081 of this title.

§ 7083. Annuity premium to be paid by monthly installments; government reimbursement

Each civilian member shall make a monthly allotment in an amount equal to 10 percent of his monthly basic salary toward the purchase of