

GOVERNMENT PUBLISHING OFFICE PAYMENT OF COST OF ADMINISTRATION

Pub. L. 105-275, title III, §313, Oct. 21, 1998, 112 Stat. 2460, as amended by Pub. L. 113-235, div. H, title I, §1301(b), Dec. 16, 2014, 128 Stat. 2537, provided that: "For purposes of section 8147 of title 5, United States Code, the Government Publishing Office is not considered an agency which is required by statute to submit an annual budget pursuant to or as provided by chapter 91 of title 31, United States Code, and is not required to pay an additional amount for the cost of administration."

FISCAL YEAR 1994 PROHIBITION ON PAYMENTS TO INDIVIDUALS CONVICTED OF ISSUING FALSE STATEMENTS OR FRAUD

Pub. L. 103-112, title I, §102, Oct. 21, 1993, 107 Stat. 1089, Department of Labor Appropriation Act, 1994, provided that: "None of the funds in the Employees' Compensation Fund under 5 U.S.C. 8147 shall be expended for payment of compensation, benefits, and expenses to any individual convicted of a violation of 18 U.S.C. 1920, or of any felony fraud related to the application for or receipt of benefits under subchapters I or III of chapter 81 of title 5, United States Code."

DEPOSIT INTO FUND BETWEEN JULY 1, AND JULY 15, 1976, OF SPECIFIED PART OF AUGUST 15, 1975, STATEMENT

Pub. L. 94-274, title I, §120, Apr. 21, 1976, 90 Stat. 389, provided that for the purposes of 5 U.S.C. 8147(b), each agency and instrumentality of the United States dependent upon an annual appropriation and having an employee who is or may be entitled to compensation benefits under this subchapter or any extension or application thereof shall deposit in the Treasury to the credit of the Employees' Compensation Fund, no later than July 15, 1976, but no earlier than July 1, 1976, 25 per centum of the amount stated in the August 15, 1975, statement.

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.

§ 8148. Forfeiture of benefits by convicted felons

(a) Any individual convicted of a violation of section 1920 of title 18, or any other Federal or State criminal statute relating to fraud in the application for or receipt of any benefit under this subchapter or subchapter III of this chapter, shall forfeit (as of the date of such conviction) any entitlement to any benefit such individual would otherwise be entitled to under this subchapter or subchapter III for any injury occurring on or before the date of such conviction. Such forfeiture shall be in addition to any action the Secretary may take under section 8106 or 8129.

(b)(1) Notwithstanding any other provision of this chapter (except as provided under paragraph (3)), no benefits under this subchapter or subchapter III of this chapter shall be paid or provided to any individual during any period during which such individual is confined in a jail, prison, or other penal institution or correctional facility, pursuant to that individual's conviction of an offense that constituted a felony under applicable law.

(2) Such individual shall not be entitled to receive the benefits forfeited during the period of incarceration under paragraph (1), after such period of incarceration ends.

(3) If an individual has one or more dependents as defined under section 8110(a), the Secretary of

Labor may, during the period of incarceration, pay to such dependents a percentage of the benefits that would have been payable to such individual computed according to the percentages set forth in section 8133(a)(1) through (5).

(c) Notwithstanding the provision of section 552a of this title, or any other provision of Federal or State law, any agency of the United States Government or of any State (or political subdivision thereof) shall make available to the Secretary of Labor, upon written request, the names and Social Security account numbers of individuals who are confined in a jail, prison, or other penal institution or correctional facility under the jurisdiction of such agency, pursuant to such individuals' conviction of an offense that constituted a felony under applicable law, which the Secretary of Labor may require to carry out the provisions of this section.

(Added Pub. L. 103-333, title I, §101(a)(1), Sept. 30, 1994, 108 Stat. 2546; amended Pub. L. 105-247, §1, Oct. 9, 1998, 112 Stat. 1863.)

PRIOR PROVISIONS

A prior section 8148, Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 555, provided for a report to Congress by Secretary 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.)