

into agreements or contracts or leases with, or to issue permits to, any public or private agency or person for carrying out the provisions of the Convention or this chapter for provisions which had set a fine of not more than \$500 or imprisonment for not more than six months, or both, for violating regulations of the Secretary relating to the use and management of the Pribilof Islands or the protection or conservation of fur seals, wildlife, or other natural resources.

§ 1168. Civil service retirement benefits

(a) Credit for services performed by natives

Service by natives of the Pribilof Islands engaged in the taking and curing of fur seal skins and other activities in connection with the administration of such islands prior to January 1, 1950, as determined by the Secretary based on records available to him, shall be considered for purposes of credit under subchapter III of chapter 83 of title 5 as civilian service performed by an employee, as defined in said subchapter.

(b) Adjustment of annuities

The annuity of any person or the annuity of the survivor of any person who shall have performed service described in subsection (a) of this section, and who, prior to November 2, 1966, died or shall have been retired on annuity payable from the civil service retirement and disability fund, shall, upon application filed by the annuitant within one year after November 2, 1966, be adjusted, effective as of the first day of the month immediately following November 2, 1966, so that the amount of the annuity shall be the same as if such subsection had been in effect at the time of such person's retirement or death.

(c) Nonentitlement to lump-sum benefits

In no case shall credit for the service described in subsection (a) of this section entitle a person to the benefits of section 8342(h) of title 5.

(d) Reimbursement from Operations, Research, and Facilities Account of National Oceanic and Atmospheric Administration in Department of Commerce

Notwithstanding any other provisions of this chapter or any other law, benefits under subchapter III of chapter 83 of title 5 made available by reason of the provisions of this section shall be paid from the civil service retirement and disability fund subject to reimbursement to such fund from the Operations, Research, and Facilities Account of the National Oceanic and Atmospheric Administration in the Department of Commerce, for the purpose of compensating said retirement fund for the cost, as determined by the Director of the Office of Personnel Management during each fiscal year, of benefits provided by this section.

(Pub. L. 89-702, title II, §208, Nov. 2, 1966, 80 Stat. 1096; 1978 Reorg. Plan No. 2, §102, eff. Jan. 1, 1979, 43 F.R. 36037, 92 Stat. 3784; Pub. L. 98-129, §2, Oct. 14, 1983, 97 Stat. 842.)

CODIFICATION

"Subchapter III of chapter 83 of title 5" substituted for "the Civil Service Retirement Act, as amended" in subsec. (a) and for "the Civil Service Retirement Act" in subsec. (d), and "section 8342(h) of title 5" substituted for "section 11(h) of the Civil Service Retirement Act" in subsec. (c) on authority of Pub. L. 89-554, §7(b), Sept. 6, 1966, 80 Stat. 631, the first section of

which enacted Title 5, Government Organization and Employees.

AMENDMENTS

1983—Subsecs. (a) to (c). Pub. L. 98-129 reenacted subsecs. (a) to (c) without change.

Subsec. (d). Pub. L. 98-129 reenacted subsec. (d) without change other than the substitution of "subject to reimbursement to such fund from the Operations, Research, and Facilities Account of the National Oceanic and Atmospheric Administration in the Department of Commerce, for the purpose of compensating said retirement fund for the cost, as determined by the Civil Service Commission during each fiscal year, of benefits provided by this section" for "subject to reimbursement to such fund from the gross receipts of the Pribilof Islands fund, established in section 1187 of this title, for the purpose of compensating said retirement fund for the cost, as determined by the Civil Service Commission during each fiscal year, of benefits provided by this section. This reimbursement to the civil service retirement fund shall be considered a cost of administering the fur seal program".

TRANSFER OF FUNCTIONS

"Director of the Office of Personnel Management" substituted for "Civil Service Commission" in subsec. (d) pursuant to Reorg. Plan No. 2 of 1978, §102, 43 F.R. 36037, 92 Stat. 3783, set out under section 1101 of Title 5, Government Organization and Employees, which transferred functions vested by statute in Civil Service Commission to Director of Office of Personnel Management (except as otherwise specified), effective Jan. 1, 1979, as provided by section 1-102 of Ex. Ord. No. 12107, Dec. 28, 1978, 44 F.R. 1055, set out under section 1101 of Title 5.

§ 1169. Regulations

The Secretary is authorized to prescribe such regulations as he deems necessary to carry out the provisions of this subchapter.

(Pub. L. 89-702, title II, §211, as added Pub. L. 98-129, §2, Oct. 14, 1983, 97 Stat. 844.)

§ 1169a. Annuities and survivor annuities; recomputation

(a)(1)¹ An annuity or survivor annuity based on the service of an employee or Member who performed service described in the second paragraph (13)² of subsection (b) or subsection (l)(1)(C) of section 8332 of title 5, as added by subsections (b) and (e), respectively, of section 209 of this Act [Pub. L. 89-702], shall, upon application to the Office of Personnel Management, be recomputed in accordance with the second paragraph (13) of subsection (b) and subsection (l), respectively, of such section 8332, regardless of whether the employee or Member retires before, on, or after October 14, 1983.

(2) Any recomputation of annuity under paragraph (1) of this subsection shall apply with respect to months beginning more than 30 days after the date on which application for such recomputation is received by the Office.

(Pub. L. 89-702, title II, §212, as added Pub. L. 98-369, div. B, title II, §2208(b), July 18, 1984, 98 Stat. 1061.)

REFERENCES IN TEXT

The second paragraph (13) of subsection (b) of section 8332 of title 5, referred to in subsec. (a)(1), relates to

¹ So in original. No subsec. (b) has been enacted.

² See References in Text note below.