

amended. Title II of the Act is classified generally to subchapter II (§401 et seq.) of chapter 7 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

PRIOR PROVISIONS

A prior section 301 of Pub. L. 88-643, as added Pub. L. 99-335, title V, §506, June 6, 1986, 100 Stat. 624; amended Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 100-453, title V, §502, Sept. 29, 1988, 102 Stat. 1909, related to application of Federal Employees' Retirement System to Agency employees and was set out as a note under section 403 of this title prior to the general amendment of Pub. L. 88-643 by section 802 of Pub. L. 102-496.

EFFECTIVE DATE

Section effective on first day of fourth month beginning after Oct. 24, 1992, see section 805 of Pub. L. 102-496, set out as a note under section 2001 of this title.

§ 2152. Special rules relating to section 2013 criteria employees

(a) In general

Except as otherwise provided in this section, in the application of chapter 84 of title 5 to an employee of the Agency who is subject to such chapter and is designated by the Director under the criteria prescribed in section 2013 of this title, such employee shall be treated for purposes of determining such employee's retirement benefits and obligations under such chapter as if the employee were a law enforcement officer (as defined in section 8401(17) of title 5).

(b) Voluntary and mandatory retirement

The provisions of sections 2053 and 2055 of this title shall apply to employees referred to in subsection (a), except that the retirement benefits shall be determined under chapter 84 of title 5.

(c) Recall

(1) Except as provided in paragraph (2), section 2111 of this title shall apply to an employee referred to in subsection (a).

(2) Contributions during recall service shall be made as provided in section 8422 of title 5.

(3) When an employee recalled under this subsection reverts to a retired status, the annuity of such employee shall be redetermined under the provisions of chapter 84 of title 5.

(Pub. L. 88-643, title III, §302, as added Pub. L. 102-496, title VIII, §802, Oct. 24, 1992, 106 Stat. 3244.)

PRIOR PROVISIONS

A prior section 302 of Pub. L. 88-643, as added Pub. L. 99-335, title V, §506, June 6, 1986, 100 Stat. 625, related to special rules relating to employees designated under criteria of former section 203 of Pub. L. 88-643 and was set out as a note under section 403 of this title prior to the general amendment of Pub. L. 88-643 by section 802 of Pub. L. 102-496.

EFFECTIVE DATE

Section effective on first day of fourth month beginning after Oct. 24, 1992, see section 805 of Pub. L. 102-496, set out as a note under section 2001 of this title.

§ 2153. Special rules for other employees for service abroad

(a) Special computation rule

Notwithstanding any provision of chapter 84 of title 5, the annuity under subchapter II of such

chapter of a retired employee of the Agency who is not designated under section 2152(a) of this title and who has served abroad as an employee of the Agency after December 31, 1986, shall be computed as provided in subsection (b).

(b) Computation

(1) Service abroad

The portion of the annuity relating to such service abroad shall be computed as provided in section 8415(e) of title 5.

(2) Other service

The portions of the annuity relating to other creditable service shall be computed as provided in section 8415 of such title that is applicable to such service under the conditions prescribed in chapter 84 of such title.

(Pub. L. 88-643, title III, §303, as added Pub. L. 102-496, title VIII, §802, Oct. 24, 1992, 106 Stat. 3244; amended Pub. L. 112-96, title V, §5001(c)(2)(G), Feb. 22, 2012, 126 Stat. 200.)

PRIOR PROVISIONS

A prior section 303 of Pub. L. 88-643, as added Pub. L. 99-335, title V, §506, June 6, 1986, 100 Stat. 626, related to special rules for other employees for service abroad and was set out as a note under section 403 of this title prior to the general amendment of Pub. L. 88-643 by section 802 of Pub. L. 102-496.

AMENDMENTS

2012—Subsec. (b)(1). Pub. L. 112-96 substituted “section 8415(e)” for “section 8415(d)”.

EFFECTIVE DATE

Section effective on first day of fourth month beginning after Oct. 24, 1992, see section 805 of Pub. L. 102-496, set out as a note under section 2001 of this title.

§ 2154. Special rules for former spouses

(a) General rule

Except as otherwise specifically provided in this section, the provisions of chapter 84 of title 5 shall apply in the case of an employee of the Agency who is subject to chapter 84 of title 5 and who has a former spouse (as defined in section 8401(12) of title 5) or a qualified former spouse.

(b) Definitions

For purposes of this section:

(1) Employee

The term “employee” means an employee of the Agency who is subject to chapter 84 of title 5, including an employee referred to in section 2152(a) of this title.

(2) Qualified former spouse

The term “qualified former spouse” means a former spouse of an employee or retired employee who—

(A) in the case of a former spouse whose divorce from such employee became final on or before December 4, 1991, was married to such employee for not less than 10 years during periods of the employee's service which are creditable under section 8411 of title 5, at least 5 years of which were spent outside the United States by both the employee and the former spouse during the employee's service with the Agency; and