

ary Committee amendment no. 3 which added former sections 431 (now repealed), 432 (now 2531), and 433 (now repealed):

There are, at present, in the Coast Guard certain personnel who were transferred from the former Life Saving Service, the Lighthouse Service, the Bureau of Marine Inspection and Navigation, and the Bureau of Customs. The number of such personnel is not large and no new personnel can be taken on in these categories. As time goes on the numbers will be reduced by death or resignation and any other method of leaving the service until, eventually, there will be no one remaining in any of these groups. Certain laws appearing in existing title 14 applicable to such personnel were not included in this bill as it passed the House. The reason for such omission was that such laws were temporary in that they would eventually apply to no one, although no definite termination date was fixed in the law. While recognizing this fact, this committee feels that since said laws apply to a class of personnel and will so apply for an indeterminate period in the future, it is desirable to include such laws in this codification, subject to being repealed at such time as there are no longer any personnel in the Coast Guard, active or retired, to whom these sections would be applicable.

Proposed section 432(a) is based on title 14, U.S.C., 1946 ed., § 10g (Aug. 5, 1939, ch. 477, § 2, 53 Stat. 1216).

Proposed section 432(b) is based on title 14, U.S.C., 1946 ed., § 10h (Aug. 5, 1939, ch. 477, § 3, 53 Stat. 1216).

Proposed section 432(c) is based on title 14, U.S.C., 1946 ed., § 50 (Aug. 5, 1939, ch. 477, § 8, 53 Stat. 1217).

Proposed section 432(d) is based on title 14, U.S.C., 1946 ed., § 180 (Aug. 5, 1939, ch. 477, § 6, 53 Stat. 1217; June 24, 1948, ch. 627, 62 Stat. 644).

Proposed section 432(e) is based on title 14, U.S.C., 1946 ed., § 181 (Aug. 5, 1939, ch. 477, § 7, 53 Stat. 1217).

Proposed section 432(f) is based on section 1 of Public Law 143, 81st Congress, approved June 29, 1949.

Proposed section 432(g) is based on sections 2 and 3 of Public Law 143, 81st Congress, approved June 29, 1949.

Editorial Notes

REFERENCES IN TEXT

The date of enactment of this subsection, referred to in subsec. (g)(1), is Aug. 4, 1949.

AMENDMENTS

2021—Subsec. (a). Pub. L. 116-283, § 8505(a)(21)(A), substituted “individual” for “person”.

Subsec. (c). Pub. L. 116-283, § 8505(a)(21)(B), substituted “individuals” for “persons” in two places.

Subsec. (d). Pub. L. 116-283, § 8505(a)(21)(A), substituted “individual” for “person” wherever appearing.

Subsec. (e). Pub. L. 116-283, § 8505(a)(21)(A), substituted “individual” for “person” in two places.

Subsec. (g)(1). Pub. L. 116-283, § 8505(a)(21)(A), substituted “individual” for “person”.

2018—Pub. L. 115-282 renumbered section 432 of this title as this section.

1986—Subsec. (g). Pub. L. 99-640 designated existing provisions as par. (1), struck out last par. relating to inclusion of additional compensation in computations of compensation for purposes of the Lighthouse Service Retirement Act, and added par. (2).

1984—Subsec. (c). Pub. L. 98-557 substituted reference to enlisted members for reference to enlisted men.

1982—Subsec. (f). Pub. L. 97-295, § 2(13), substituted “chapter 51, subchapter III of chapter 53, and sections 5542-5546 of title 5” for “the civil service classification laws and titles II and III of the Federal Employees Pay Act of 1945 as amended”.

Subsec. (g). Pub. L. 97-295, § 2(11), substituted “percent” for “per centum”.

1979—Subsec. (g). Pub. L. 96-23 substituted “\$15,000” for “\$7,500”.

1970—Subsec. (g). Pub. L. 91-278 substituted “\$7,500” for “\$5,100”.

1959—Subsec. (g). Pub. L. 86-309 substituted “\$5,100” for “\$3,750”.

1955—Subsec. (f). Act Aug. 9, 1955, § 1, inserted “as amended”.

Subsec. (g). Act Aug. 9, 1955, § 2, authorized head of department in which the Coast Guard is operating to regulate hours of duty and pay.

Statutory Notes and Related Subsidiaries

RETROACTIVE PAY

Pub. L. 96-23, § 5(b), June 13, 1979, 93 Stat. 69, provided that the Coast Guard could issue retroactive pay to its remaining civilian lighthouse keepers to compensate for the higher General Schedule salary rate over a statutory limitation of \$7,500 on annual salary.

§ 2532. Retirement of employees

(a) **OPTIONAL RETIREMENT.**—Except as provided in subsections (d) and (e), a covered employee may retire from further performance of duty if such officer or employee—

(1) has completed 30 years of active service in the Government and is at least 55 years of age;

(2) has completed 25 years of active service in the Government and is at least 62 years of age; or

(3) is involuntarily separated from further performance of duty, except by removal for cause on charges of misconduct or delinquency, after completing 25 years of active service in the Government, or after completing 20 years of such service and if such employee is at least 50 years of age.

(b) **COMPULSORY RETIREMENT.**—A covered employee who becomes 70 years of age shall be compulsorily retired from further performance of duty.

(c) **RETIREMENT FOR DISABILITY.**—

(1) **IN GENERAL.**—A covered employee who has completed 15 years of active service in the Government and is found, after examination by a medical officer of the United States, to be disabled for useful and efficient service by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct of such officer or employee, shall be retired.

(2) **RESTORATION TO ACTIVE DUTY.**—Any individual retired under paragraph (1) may, upon recovery, be restored to active duty, and shall from time to time, before reaching the age at which such individual may retire under subsection (a), be reexamined by a medical officer of the United States upon the request of the Secretary of the department in which the Coast Guard is operating.

(d) **ANNUAL COMPENSATION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), The annual compensation of a person retired under this section shall be a sum equal to one-fortieth of the average annual pay received for the last 3 years of service for each year of active service in the Lighthouse Service, or in a department or branch of the Government having a retirement system, not to exceed thirty-fortieths of such average annual pay received.

(2) **RETIREMENT BEFORE 55.**—The retirement pay computed under paragraph (1) for any officer or employee retiring under this section shall be reduced by one-sixth of 1 percent for each full month the officer or employee is under 55 years of age at the date of retirement.

(3) NO ALLOWANCE OR SUBSISTENCE.—Retirement pay under this section shall not include any amount on account of subsistence or other allowance.

(e) EXCEPTION.—The retirement and pay provision in this section shall not apply to—

(1) any person in the field service of the Lighthouse Service whose duties do not require substantially all their time; or

(2) persons of the Coast Guard.

(f) WAIVER.—Any person entitled to retirement pay under this section may decline to accept all or any part of such retirement pay by a waiver signed and filed with the Secretary of the Treasury. Such waiver may be revoked in writing at any time, but no payment of the retirement pay waived shall be made covering the period during which such waiver was in effect.

(g) DEFINITION.—For the purposes of this section, the term “covered employee” means an officer or employee engaged in the field service or on vessels of the Lighthouse Service, except a person continuously employed in district offices or shop.

(Added Pub. L. 116-283, div. G, title LVXXXV [LXXXV], § 8510(b), Jan. 1, 2021, 134 Stat. 4757.)

§ 2533. Surviving spouses

The Secretary of the department in which the Coast Guard is operating shall pay \$100 per month to the surviving spouse of a current or former employee of the Lighthouse Service in accordance with section 2532 if such employee dies—

(1) at a time when such employee was receiving or was entitled to receive retirement pay under this subchapter; or

(2) from non-service-connected causes after fifteen or more years of employment in such service.

(Added Pub. L. 116-283, div. G, title LVXXXV [LXXXV], § 8511(a), Jan. 1, 2021, 134 Stat. 4758.)

§ 2534. Application for benefits

(a) Application for the benefits of section 2533 shall be made in such manner and form as the Civil Service Commission¹ shall prescribe.

(b) The Civil Service Commission¹ shall perform, or cause to be performed, such acts, and shall make such rules and regulations, as may be necessary or proper to carry out section 2533.

(c) That² annuities authorized by section 2533 may hereafter be paid out of the Civil Service Retirement and Disability Fund.

(Added and amended Pub. L. 116-283, div. G, title LVXXXV [LXXXV], § 8511(b), Jan. 1, 2021, 134 Stat. 4758.)

Editorial Notes

REFERENCES IN TEXT

Hereafter, referred to in subsec. (c), was in original language of proviso from Pub. L. 112-74, which was approved Dec. 23, 2011, and which was redesignated as subsec. (c). See Codification note below.

¹ See Transfer of Functions note below.

² So in original.

CODIFICATION

The text of section 773 of Title 33, Navigation and Navigable Waters, which was transferred to this section, designated as subsec. (a), and amended by Pub. L. 116-283, § 8511(b)(2)(A), was based on act Aug. 19, 1950, ch. 761, § 3, 64 Stat. 466.

The text of section 774 of Title 33, which was transferred to this section, designated as subsec. (b), and amended by Pub. L. 116-283, § 8511(b)(3)(A), was based on act Aug. 19, 1950, ch. 761, § 4, 64 Stat. 466.

The text of section 776 of Title 33, which was transferred to this section, redesignated as subsec. (c), and amended by Pub. L. 116-283, § 8511(b)(4)(A), was based on the proviso in the paragraph under the heading “Payment to Civil Service Retirement and Disability Fund” under the heading “Office of Personnel Management” in title V of div. C of Pub. L. 112-74 (125 Stat. 919).

PRIOR PROVISIONS

Provisions similar to those in subsec. (c) of this section were contained in the following prior appropriation acts:

Pub. L. 111-117, div. C, title V, Dec. 16, 2009, 123 Stat. 3196.

Pub. L. 111-8, div. D, title V, Mar. 11, 2009, 123 Stat. 670.

Pub. L. 110-161, div. D, title V, Dec. 26, 2007, 121 Stat. 2009.

Pub. L. 109-115, div. A, title VI, Nov. 30, 2005, 119 Stat. 2489.

Pub. L. 108-447, div. H, title IV, Dec. 8, 2004, 118 Stat. 3263.

Pub. L. 108-199, div. F, title IV, Jan. 23, 2004, 118 Stat. 339.

Pub. L. 108-7, div. J, title IV, Feb. 20, 2003, 117 Stat. 459.

Pub. L. 107-67, title IV, Nov. 12, 2001, 115 Stat. 542.

Pub. L. 106-554, § 1(a)(3) [title IV], Dec. 21, 2000, 114 Stat. 2763, 2763A-150.

Pub. L. 106-58, title IV, Sept. 29, 1999, 113 Stat. 463.

Pub. L. 105-277, div. A, § 101(h) [title IV], Oct. 21, 1998, 112 Stat. 2681-480, 2681-509.

Pub. L. 105-61, title IV, Oct. 10, 1997, 111 Stat. 1303.

Pub. L. 104-208, div. A, title I, § 101(f) [title IV], Sept. 30, 1996, 110 Stat. 3009-314, 3009-344.

Pub. L. 104-52, title IV, Nov. 19, 1995, 109 Stat. 489.

Pub. L. 103-329, title IV, Sept. 30, 1994, 108 Stat. 2407.

Pub. L. 103-123, title IV, Oct. 28, 1993, 107 Stat. 1249.

Pub. L. 102-393, title IV, Oct. 6, 1992, 106 Stat. 1756.

Pub. L. 102-141, title IV, Oct. 28, 1991, 105 Stat. 860.

Pub. L. 101-509, title IV, Nov. 5, 1990, 104 Stat. 1421.

Pub. L. 101-136, title IV, Nov. 3, 1989, 103 Stat. 810.

Pub. L. 100-440, title IV, Sept. 22, 1988, 102 Stat. 1745.

Pub. L. 100-202, § 101(m) [title IV], Dec. 22, 1987, 101 Stat. 1329-390, 1329-413.

Pub. L. 99-500, § 101(m) [title IV], Oct. 18, 1986, 100 Stat. 1783-308, 1783-322, and Pub. L. 99-591, § 101(m) [title IV], Oct. 30, 1986, 100 Stat. 3341-308, 3341-322.

Pub. L. 99-190, title I, § 101(h) [H.R. 3036, title IV], Dec. 19, 1985, 99 Stat. 1291.

Pub. L. 98-473, title I, § 101(j) [H.R. 5798, title IV], Oct. 12, 1984, 98 Stat. 1963.

Pub. L. 98-151, § 101(f) [H.R. 4139, title IV], Nov. 14, 1983, 97 Stat. 973.

Pub. L. 97-377, title I, § 101(a) [incorporating H.R. 4121, title IV, for FY 1982], Dec. 21, 1982, 96 Stat. 1830.

Pub. L. 97-92, § 101(a) [H.R. 4121, title IV], Dec. 15, 1981, 95 Stat. 1183.

Pub. L. 96-536, § 101(a) [incorporating Pub. L. 96-74, title IV], Dec. 16, 1980, 94 Stat. 3166.

Pub. L. 96-74, title IV, Sept. 29, 1979, 93 Stat. 571.

Pub. L. 95-429, title IV, Oct. 10, 1978, 92 Stat. 1007.

Pub. L. 95-81, title IV, July 31, 1977, 91 Stat. 347.

Pub. L. 94-363, title IV, July 14, 1976, 90 Stat. 969.

Pub. L. 94-91, title IV, Aug. 9, 1975, 89 Stat. 449.

Pub. L. 93-381, title IV, Aug. 21, 1974, 88 Stat. 620.

Pub. L. 93-143, title IV, Oct. 30, 1973, 87 Stat. 517.

AMENDMENTS

2021—Pub. L. 116-283, § 8511(b)(1), inserted section enumerator and catchline after section 2533.