

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.)

**Editorial Notes**

**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".

**Executive Documents**

**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; re-computation**

(a)(1)<sup>1</sup> An annuity or survivor annuity based on the service of an employee or Member who performed service described in the second paragraph (13)<sup>2</sup> 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.)

**Editorial Notes**

**REFERENCES IN TEXT**

The second paragraph (13) of subsection (b) of section 8332 of title 5, referred to in subsec. (a)(1), relates to service performed by a Native of the Pribilof Islands. That par. (13) was added by subsec. (b) of section 209 of Pub. L. 89-702 (as added by section 2 of Pub. L. 98-129) and is set out in the Code as the first par. (13) of subsec. (b) of section 8332 of Title 5, Government Organization and Employees.

**CODIFICATION**

Another section 212 of Pub. L. 89-702 is classified to section 1169b of this title.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

Pub. L. 98-369, div. B, title II, §2208(c), July 18, 1984, 98 Stat. 1061, provided that: "The amendments made by this section [enacting this section and amending section 8332 of Title 5, Government Organization and Employees] shall take effect as of October 14, 1983."

**§ 1169b. Use of local entities**

Notwithstanding any other law to the contrary, the Secretary of Commerce shall, to the maximum extent practicable, carry out activities under subsection (a)<sup>1</sup> and fulfill other obli-

<sup>1</sup> So in original. No subsec. (b) has been enacted.

<sup>2</sup> See References in Text note below.

<sup>1</sup> See References in Text note below.