

Public Law 96-54  
96th Congress

An Act

To make certain technical and clerical amendments to title 5, United States Code.

Aug. 14, 1979  
[H.R. 4616]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Title 5, United States Code, amendment.

REFERENCES TO TITLE 5, UNITED STATES CODE

SECTION 1. Whenever in this Act, any reference, amendment, or repeal is expressed in terms of a reference or amendment to, or repeal of, a section or other provision, it shall be considered to be made to a section or other provision of title 5, United States Code.

TECHNICAL AND CLERICAL AMENDMENTS

SEC. 2. (a)(1) The table of parts is amended by striking out "The United States Civil Service Commission" and inserting in lieu thereof "Civil Service Functions and Responsibilities".

(2) Sections 305(b), 4111(b), 4112(a), 5514(b), and 5903 are each amended by striking out "Director of the Bureau of the Budget" wherever it appears and inserting in lieu thereof "President".

(3) Section 1308(a)(3) is amended by striking out "Office" and inserting in lieu thereof "Merit Systems Protection Board".

(4) Section 2101(3) is amended by striking out "Environmental Science Services Administration" and inserting in lieu thereof "National Oceanic and Atmospheric Administration".

(5) Section 2105(a)(1)(F) is amended—

(A) by striking out "the adjutants" and inserting in lieu thereof "an adjutant"; and

(B) by striking out ", United States Code".

(6) Section 2105(c)(1) is amended to read as follows:

"(1) laws (other than subchapter IV of chapter 53 and sections 5550 and 7204 of this title) administered by the Office of Personnel Management; or"

(7) Section 2106 is amended by striking out "from the District of Columbia" and inserting in lieu thereof "to the House of Representatives".

(8) Section 2108(3) is amended by inserting after "claimed" in subparagraph (G)(iii) a semicolon and the following: "but does not include applicants for, or members of, the Senior Executive Service".

(9)(A) Section 2108(5) is amended by striking out "; but does not include applicants for, or members of, the Senior Executive Service".

(B) The amendment made by subparagraph (A) shall take effect October 1, 1980.

5 USC 2108 note.

(10) Chapter 31 is amended by inserting after the chapter analysis for such chapter the following:

"SUBCHAPTER I—EMPLOYMENT AUTHORITIES".

(11) Section 3102(a)(2) is amended by striking out "Commissioner" and inserting in lieu thereof "Mayor".

(12) Section 3132(a)(1)(B) is amended by inserting "and," after "the National Security Agency,".

(13) The chapter analysis for chapter 33 is amended by striking out the item relating to section 3315a.

(14) Sections 3305(a), 3315(a), 3317(a), 3326(b)(1), 5550a(a), 5596(c), and 7327(b) are each amended by striking out "Civil Service Commission" and inserting in lieu thereof "Office of Personnel Management".

(15) Sections 3305(b), 3315(b), 3317(b), 4102(b), 5347(e), 5550a(b), 6305, and 7327(b) are each amended by striking out "Commission" each place it appears and inserting in lieu thereof "Office".

(16) Section 3302(2) is amended to read as follows:

"(2) necessary exceptions from the provisions of sections 2951, 3304(a), 3321, 7202, 7203, 7321, and 7322 of this title."

(17) Section 3324(a)(4)(A) is amended by striking out "'National Security Council', or 'Office of Emergency Planning'" and inserting in lieu thereof "'or 'National Security Council'".

(18) Subsections (a) and (b) of section 3503 are each amended by striking out "each preference eligible employed" and inserting in lieu thereof "each competing employee".

(19) Sections 4102(a)(1)(C) and 4109(a)(2) (A) and (B) are each amended by striking out "Environmental Science Services Administration" each place it appears and inserting in lieu thereof "National Oceanic and Atmospheric Administration".

(20) Chapter 43 is amended by inserting after the chapter analysis for such chapter the following new heading:

"SUBCHAPTER I—GENERAL PROVISIONS".

(21) Section 4701(b) is amended—

(A) by striking out "subchapter" and inserting in lieu thereof "chapter"; and

(B) by striking out "5 U.S.C. 5108 note" and inserting in lieu thereof "28 U.S.C. 509 note".

(22) Section 5102(23) is amended by striking out "Patent Office" and inserting in lieu thereof "Patent and Trademark Office".

(23) Section 5108(c) is amended—

(A) by inserting "and" at the end of paragraph (3); and

(B) by redesignating paragraph (17) as paragraph (4).

(24) Section 5311(b)(1) is amended by striking out "Director" and inserting in lieu thereof "Director of the Office of Personnel Management".

(25)(A) Sections 5312, 5313, 5314, 5315, and 5316 are each amended by striking out the paragraph designations of the positions listed therein.

5 USC 5312 note.

(B) The amendments made by subparagraph (A) shall take effect January 1, 1980.

(26)(A) The catchline for section 5333 is amended by striking out "wage-board employees" and inserting in lieu thereof "prevailing rate employees".

(B) The item relating to section 5333 in the analysis for chapter 53 is amended by striking out "wage-board employees" and inserting in lieu thereof "prevailing rate employees".

(27) Section 5334(a) is amended by striking out "section 106(a)" and "section 3186(2)" and inserting in lieu thereof "section 106(2)" and "section 3186(a)(2)", respectively.

(28) Section 5335(a)(3)(B) is amended by striking out "a administrative law judge" and inserting in lieu thereof "an administrative law judge".

(29) Section 5504(a)(B) is amended by striking out "this section" and inserting in lieu thereof "this title".

(30) Section 5516 is amended by striking out "Commissioner" each place it appears and inserting in lieu thereof "Mayor".

(31) Section 5521(3)(B) is amended by striking out "Commissioner" and inserting in lieu thereof "Mayor".

(32) Section 5545(c)(2) is amended by striking out "per centum" each place it appears and inserting in lieu thereof "percent".

(33) The sentence following paragraph (2) of section 5562(a) is amended by striking out "the date of enactment of this sentence" and inserting in lieu thereof "December 14, 1973,".

(34) Section 5581(1) is amended by inserting "and" at the end of clause (iv).

(35) Section 5584(b)(4) is amended by striking out "the date on which this clause (4) is enacted into law," and inserting in lieu thereof "July 25, 1974,".

(36) Section 5702(c) is amended by striking out "(A)" and "(B)" and inserting in lieu thereof "(1)" and "(2)", respectively.

(37) Section 5943 is amended—

(A) in subsection (a), by striking out "and on recommendation of the Director of the Bureau of the Budget"; and

(B) in subsection (d), by striking out "Director of the Bureau of the Budget" and inserting in lieu thereof "President".

(38) Section 6104 is amended—

(A) by striking out "Commissioner" each place it appears and inserting in lieu thereof "Mayor"; and

(B) by striking out "District of Columbia Council" and inserting in lieu thereof "Council of the District of Columbia".

(39) Section 6304(e) is amended by striking out "salary rate" and inserting in lieu thereof "rate of basic pay".

(40) Section 6323 is amended by redesignating the first subsection (c) as subsection (b).

(41) Section 6325 is amended to read as follows:

**"§6325. Absence resulting from hostile action abroad**

"Leave may not be charged to the account of an employee for absence, not to exceed one year, due to an injury—

"(1) incurred while serving abroad and resulting from war, insurgency, mob violence, or similar hostile action; and

"(2) not due to vicious habits, intemperance, or willful misconduct on the part of the employee."

(42) The heading for subchapter III of chapter 71 is amended to read as follows:

**"SUBCHAPTER III—GRIEVANCES, APPEALS, AND REVIEW".**

(43) Chapter 72 is amended by inserting before section 7201 the following:

"SUBCHAPTER I—ANTIDISCRIMINATION IN EMPLOYMENT".

(44) Section 7325 is amended by striking out "Civil Service Commission" and "Commission" and inserting in lieu thereof "Merit Systems Protection Board" and "Board", respectively.

(45) Section 7701 is amended—

(A) in subsection (e)(1), by striking out "administration" and inserting in lieu thereof "administrative";

(B) in subsection (g)(1), by striking out "as the case may be," and inserting in lieu thereof "(as the case may be)"; and

(C) in subsection (h), by striking out "subsection (d)" and inserting in lieu thereof "subsection (e)".

(46) Section 7702 is amended—

(A) in subsection (a)(1)(A), by striking out "effected" and inserting in lieu thereof "affected";

(B) in subsection (a)(1)(B)(i), by striking out "(42 U.S.C. 2000e-16c)" and inserting in lieu thereof "(42 U.S.C. 2000e-16)";

(C) in subsection (e)(1)(C), by striking out "of this title" and inserting in lieu thereof "of this section"; and

(D) in subsection (e)(1), by striking out "(29 U.S.C. 216(d))" and inserting in lieu thereof "(29 U.S.C. 216(b))".

(47) Section 8331 is amended—

(A) in paragraph (2), by striking out "and a Delegate to Congress,"; and

(B) in paragraph (19)(C), by striking out "and".

(48) Section 8332 is amended—

(A) in subsection (b)(6), by striking out ", United States Code"; and

(B) in the last sentence of subsection (b), by striking out "United States Code, on or after the effective date of the National Guard Technicians Act of 1968" and inserting in lieu thereof "after December 31, 1968".

(49) Subsection (o) of section 8339 is redesignated as subsection (n).

(50) Section 8347(h) is amended by striking out "Commissioner" and inserting in lieu thereof "Mayor".

(51) Section 8701(a) is amended by striking out clauses (7) through (9) and inserting in lieu thereof the following:

"(7) an individual employed by a county committee established under section 590h(b) of title 16; and

"(8) an individual appointed to a position on the office staff of a former President under section 1(b) of the Act of August 25, 1958 (72 Stat. 838);".

(52) Section 8901(1) is amended by striking out clauses (F) through (H) and inserting in lieu thereof the following:

"(F) an individual employed by Gallaudet College; and

"(G) an individual employed by a county committee established under section 590h(b) of title 16;".

(53) Section 8906(b)(1) is amended to read as follows:

"(b)(1) Except as provided by paragraphs (2) and (3) of this subsection, the biweekly Government contribution for health benefits for an employee or annuitant enrolled in a health benefits plan under this chapter is adjusted to an amount equal to 60 percent of the average subscription charge determined under subsection (a) of this section. For an employee, the adjustment begins on the first day of the employee's first pay period of each year. For an annuitant, the adjustment begins on the first day of the first period of each year for which an annuity payment is made."

(b) Except as otherwise expressly provided in subsection (a), the amendments made by subsection (a) shall take effect July 12, 1979, or the date of the enactment of this Act, whichever is earlier.

Effective date.  
5 USC 305 note.

Approved August 14, 1979.

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**LEGISLATIVE HISTORY:**

- SENATE REPORT No. 96-276 (Comm. on Governmental Affairs).
- CONGRESSIONAL RECORD, Vol. 125 (1979):
  - July 10, considered and passed House.
  - Aug. 2, considered and passed Senate.