

Public Law 87-350

AN ACT

October 4, 1961
[S. 739]

To amend the Civil Service Retirement Act with respect to interest earnings on special Treasury issues held by the civil service retirement and disability fund, with respect to employees of agricultural stabilization and conservation county committees, and with respect to certain other categories of persons subject to such Act, and for other purposes.

Civil Service Retirement Act, amendment.

Public debt obligations.
40 Stat. 288.
31 USC 774.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (d) of section 17 of the Civil Service Retirement Act, as amended (70 Stat. 759; 5 U.S.C. 2267(d)), is amended to read as follows:

“(d) The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of public-debt obligations for purchase by the fund. Such obligations issued for purchase by the fund shall have maturities fixed with due regard for the needs of the fund and bear interest at a rate equal to the average market yield computed as of the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt that are not due or callable until after the expiration of four years from the end of such calendar month, except that where such average market yield is not a multiple of one-eighth of 1 per centum, the rate of interest on such obligations shall be the multiple of one-eighth of 1 per centum nearest such average market yield. The Secretary of the Treasury may purchase other interest-bearing obligations of the United States, or obligations guaranteed as to both principal and interest by the United States, on original issue or at the market price only if he determines that such purchases are in the public interest.”

(b) All special issues in which the civil service retirement and disability fund is invested in accordance with section 17(d) of the Civil Service Retirement Act as in effect prior to the enactment of this Act shall be redeemed and the moneys reinvested by the Secretary of the Treasury, as nearly as may be practicable, in equal annual amounts over the period of ten calendar years beginning with the calendar year 1962, in accordance with such section 17(d), as amended by subsection (a) of this section.

5 USC 2267.

SEC. 2. (a) Paragraphs (2) and (3) of section 2(h) of the Civil Service Retirement Act, as amended (74 Stat. 302; 5 U.S.C. 2252(h) (2) and (3)), are amended to read as follows:

“(2) The Commission is authorized and directed to accept the certification of the Secretary of Agriculture or his designee with respect to service, for purposes of this Act, of the type rendered by employees described in paragraph (3) of this subsection.

“(3) Subject to the provisions of sections 4(c) and 9(f) of this Act, service rendered prior to July 10, 1960, as an employee of a county committee established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h (b)) or of a committee or an association of producers described in section 10(b) of the Agricultural Adjustment Act of May 12, 1933 (48 Stat. 37), shall be included in computing length of creditable service for the purposes of this Act.”

70 Stat. 748, 753.
5 U.S.C. 2254,
2259.

7 USC 610.

Effective date.

(b) The amendment made by subsection (a) of this section shall become effective as of July 1, 1961.

SEC. 3. Section 11(h) of the Civil Service Retirement Act, as amended (74 Stat. 409; 5 U.S.C. 2261(h)), is amended—

- (1) by inserting “(1)” immediately following “(h)”; and
- (2) by adding at the end thereof the following:

“(2) Any employee—

“(A) who is separated from the service prior to July 12, 1960; and

“(B) who continues in the service after July 12, 1960, without break in service of one workday or more,

shall be granted the benefits of paragraph (1) of this subsection as if he were separated after July 12, 1960.”

SEC. 4. (a) Sections 7(d) and 7(e) of the Civil Service Retirement Act, as amended (70 Stat. 750, 751; 5 U.S.C. 2257(d) and (e)), are amended to read as follows:

“(d) If such annuitant, before reaching age sixty, recovers from his disability, payment of the annuity shall cease upon reemployment by the Government or one year from the date of the medical examination showing such recovery, whichever is earlier. If such annuitant, before reaching age sixty, is restored to an earning capacity fairly comparable to the current rate of compensation of the position occupied at the time of retirement, payment of the annuity shall cease upon reemployment by the Government or one year from the end of the calendar year in which earning capacity is so restored, whichever is earlier. Earning capacity shall be deemed restored if, in each of two succeeding calendar years, the income of the annuitant from wages or self-employment, or both, shall equal at least 80 per centum of the current rate of compensation of the position occupied immediately prior to retirement.

Recovery from disability.

“(e) If such annuitant whose annuity is discontinued under subsection (d) is not reemployed in any position included in the provisions of this Act, he shall be considered except for service credit, as having been involuntarily separated from the service for the purposes of this Act as of the date of discontinuance of the disability annuity and shall, after such discontinuance, be entitled to annuity in accordance with the applicable provision of this Act. In the case of an annuitant whose annuity is heretofore or hereafter discontinued because of an earning capacity provision of this or any prior law and such annuitant is not reemployed in any position included in the provisions of this Act, annuity at the same rate shall be restored effective the first of the year following any calendar year in which his income from wages or self-employment, or both, is less than 80 per centum of the current rate of compensation of the position occupied immediately prior to retirement, if he has not recovered from the disability for which he was retired. In the case of an annuitant whose annuity is heretofore or hereafter discontinued because of a medical finding that the annuitant has recovered from disability and such annuitant is not reemployed in any position included in the provisions of this Act, annuity at the same rate shall be restored effective from the date of medical examination showing a recurrence of such disability. Neither the second nor third sentence of this subsection shall be applicable in the case of any person receiving or eligible to receive annuity under the first sentence hereof and who has reached the age of 62 years.”

Involuntary separation.

(b) No annuity payment shall be made, as a result of the amendment made by subsection (a) of this section, for any period prior to January 1 of the year following the year in which this Act is enacted.

SEC. 5. Section 13(b) of the Civil Service Retirement Act, as amended (5 U.S.C. 2263(b)), is amended by adding at the end thereof the following new sentence: “A similar right to redetermination after

70 Stat. 757; 74 Stat. 410.

deposit shall be applicable to an annuitant (1) whose annuity is based on an involuntary separation from the service, and (2) who is separated, on or after the date of enactment of this sentence, after a period of reemployment on a full-time basis which began before October 1, 1956."

Former congressional employees.
70 Stat. 752; 74 Stat. 358.

SEC. 6. (a) The first sentence of section 9(b) of the Civil Service Retirement Act, as amended (5 U.S.C. 2259(b)), is amended by inserting "or former congressional employee," immediately following the words "congressional employee" where first appearing in such sentence.

(b) The second sentence of such section 9(b) is amended—

(1) by inserting "or former congressional employee," immediately following the words "congressional employee" where first appearing in such sentence;

(2) by inserting the word "and" immediately following "service," at the end of clause (1) thereof; and

(3) by striking out "and (3) has served as a congressional employee during the last eleven months of his civilian service".

70 Stat. 743.
5 USC 2251 note.

SEC. 7. Notwithstanding any other provision of law, annuity benefits under the Civil Service Retirement Act, as amended, resulting from the operation of this Act shall be paid from the civil service retirement and disability fund.

Approved October 4, 1961.

Public Law 87-351

AN ACT

October 4, 1961
[S. 302]

To amend the Act of June 22, 1948, as amended, relating to certain areas within the Superior National Forest, in the State of Minnesota, and for other purposes.

Superior National Forest, Minn.

62 Stat. 568; 70 Stat. 328.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 22, 1948, as amended (16 U.S.C. 577c-577h) is amended by deleting the proviso from section 1 (16 U.S.C. 577c) and by changing the figure in section 6 (16 U.S.C. 577h) thereof to read \$4,500,000. Funds appropriated to carry out the purposes of the Act shall remain available until expended.

Approved October 4, 1961.

Public Law 87-352

AN ACT

October 4, 1961
[S. 2102]

To redesignate the Jefferson Division of the Eastern District of Texas as the Marshall Division.

District courts.
Marshall Division, Tex.
62 Stat. 892.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 124 (c) (5) of title 28, United States Code, is amended to read as follows:

"(5) The Marshall Division comprises the counties of Camp, Cass, Harrison, Hopkins, Marion, Morris, and Upshur.

"Court for the Marshall Division shall be held at Marshall."

Approved October 4, 1961.