

Public Law 96-500
96th Congress

An Act

Dec. 5, 1980
[H.R. 2510]

To amend title 5, United States Code, to permit Federal employees to obtain review of certain disability determinations made by the Office of Personnel Management under the civil service retirement and disability system.

Federal
employees'
disability
determinations,
review.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the second sentence of section 8347(c) of title 5, United States Code, is amended by striking out "The decisions of the Office" and inserting in lieu thereof "Except to the extent provided under subsection (d) of this section, the decisions of the Office".

(b) Section 8347(d) of title 5, United States Code, is amended—
(1) by striking out "An" and inserting in lieu thereof "(1) Subject to paragraph (2) of this subsection, an"; and

(2) by adding at the end thereof the following new paragraph:
"(2) In the case of any individual found by the Office to be disabled in whole or in part on the basis of the individual's mental condition, and that finding was made pursuant to an application by an agency for purposes of disability retirement under section 8337(a) of this title, the procedures under section 7701 of this title shall apply and the decision of the Board shall be subject to judicial review under section 7703 of this title."

5 USC 8337.

5 USC 7701.

5 USC 7703.

5 USC 8347 note.

SEC. 2. The amendments made by the first section of this Act shall apply with respect to determinations made by the Office of Personnel Management on or after the first day of the first month beginning after the date of the enactment of this Act.

Approved December 5, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-1080 (Comm. on Post Office and Civil Service).
SENATE REPORT No. 96-1004 (Comm. on Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 126 (1980):

June 16, 17, considered and passed House.

Nov. 14, considered and passed Senate, amended.

Nov. 21, House concurred in Senate amendment.