

respect to such Central Intelligence Agency Retirement and Disability System participants, former participants, or survivors.

**(3) Legal status**

Any such order shall have the force and effect of law.

**(4) Effective date**

Any such order may be given retroactive effect to a date not earlier than the effective date of the corresponding provision of law applicable to employees under the Civil Service Retirement System.

**(b) Effect of Executive order**

Provisions of an Executive order issued pursuant to this section shall modify, supersede, or render inapplicable, as the case may be, to the extent inconsistent therewith—

(1) provisions of law enacted before the effective date of the Executive order; and

(2) any prior provision of an Executive order issued under this section.

(Pub. L. 88-643, title II, §292, as added Pub. L. 102-496, title VIII, §802, Oct. 24, 1992, 106 Stat. 3241.)

**Editorial Notes**

**PRIOR PROVISIONS**

A prior section 292 of Pub. L. 88-643, as added Pub. L. 94-522, title II, §213, Oct. 17, 1976, 90 Stat. 2471, 2472, related to authority to maintain existing areas of conformity between Civil Service and Central Intelligence Agency Retirement and Disability Systems and was set out as a note under section 403 of this title prior to the general amendment of Pub. L. 88-643 by section 802 of Pub. L. 102-496.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

Section effective on first day of fourth month beginning after Oct. 24, 1992, see section 805 of Pub. L. 102-496, set out as a note under section 2001 of this title.

**Executive Documents**

**OPEN ENROLLMENT SEASON FOR PARTICIPANTS IN THE CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM**

The Director to provide an open enrollment period for employee participants in the Central Intelligence Agency Retirement and Disability System to elect the Federal Employees' Retirement System, see Ex. Ord. No. 13105, §2, Nov. 2, 1998, 63 F.R. 60201, set out as a note under section 4067 of Title 22, Foreign Relations and Intercourse.

**EX. ORD. NO. 13236. WAIVER OF DUAL COMPENSATION PROVISIONS**

Ex. Ord. No. 13236, Nov. 27, 2001, 66 F.R. 59671, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 292 of the Central Intelligence Agency Retirement Act of 1964 [Central Intelligence Agency Retirement Act], as amended (50 U.S.C. 2141), and in order to conform the Central Intelligence Agency Retirement and Disability System to the Civil Service Retirement and Disability System, it is hereby ordered as follows:

SECTION 1. The Director of Central Intelligence may waive the application of the dual compensation reduc-

tion provisions of sections 271 and 273 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2111 and 2113) for an employee serving on a temporary basis, but only if, and for so long as, the authority is necessary due to an emergency involving a direct threat to life or property or other unusual circumstances. Employees who receive both salary and annuity pursuant to this authority may not earn additional retirement benefits during this period of employment. This authority may be delegated as appropriate.

SEC. 2. Nothing contained in this order is intended to create, nor does it create, any right, benefit, or privilege, substantive or procedural, enforceable at law by a party against the United States, its agencies, officers, employees, or any other person.

GEORGE W. BUSH.

**APPLICABILITY OF FEDERAL PHYSICIANS COMPARABILITY ALLOWANCE AMENDMENTS OF 2000**

The Director of Central Intelligence to issue regulations to reflect application of sections 3(a) and 3(b) of Pub. L. 106-571, amending sections 8331 and 8339 of Title 5, Government Organization and Employees, to the Central Intelligence Agency Retirement and Disability System, see Ex. Ord. No. 13297, §3(b), Apr. 23, 2003, 68 F.R. 22566, set out as a note under section 4067 of Title 22, Foreign Relations and Intercourse.

**§ 2142. Thrift Savings Plan participation**

**(a) Eligibility for Thrift Savings Plan**

Participants in the system shall be deemed to be employees for the purposes of section 8351 of title 5.

**(b) Management of Thrift Savings Plan accounts by Director**

Subsections (k) and (m) of section 8461 of title 5 shall apply with respect to contributions made by participants to the Thrift Savings Fund under section 8351 of such title and to earnings attributable to the investment of such contributions.

(Pub. L. 88-643, title II, §293, as added Pub. L. 102-496, title VIII, §802, Oct. 24, 1992, 106 Stat. 3242.)

**Editorial Notes**

**PRIOR PROVISIONS**

A prior section 293 of Pub. L. 88-643, as added Pub. L. 99-335, title V, §504, June 6, 1986, 100 Stat. 623, related to Thrift Savings Fund participation by participants in the Central Intelligence Agency Retirement and Disability System and was set out as a note under section 403 of this title prior to the general amendment of Pub. L. 88-643 by section 802 of Pub. L. 102-496.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

Section effective on first day of fourth month beginning after Oct. 24, 1992, see section 805 of Pub. L. 102-496, set out as a note under section 2001 of this title.

**§ 2143. Alternative forms of annuities**

**(a) Authority for alternative form of annuity**

The Director shall prescribe regulations under which any participant who has a life-threatening affliction or other critical medical condition may, at the time of retiring under this subchapter (other than under section 2051 of this title), elect annuity benefits under this section instead of any other benefits under this sub-