

(3) any right of the qualified former spouse to any payment of a lump-sum credit under subsection (g), and the amount of any such payment;

shall be determined in accordance with that spousal agreement or court order, if and to the extent expressly provided for in the terms of the spousal agreement or court order that are not inconsistent with the requirements of this section.

(i) Applicability of CIARDS former spouse benefits

(1) Except as provided in paragraph (2), in the case of an employee who has elected to become subject to chapter 84 of title 5, the provisions of sections 2034 and 2035 of this title shall apply to such employee's former spouse (as defined in section 2002(a)(4) of this title) who would otherwise be eligible for benefits under sections 2034 and 2035 of this title but for the employee having elected to become subject to such chapter.

(2) For the purposes of computing such former spouse's benefits under sections 2034 and 2035 of this title—

(A) the retirement benefits shall be equal to the amount determined under subsection (c)(7)(A); and

(B) the survivor benefits shall be equal to 55 percent of the full amount of the employee's annuity computed in accordance with section 302(a) of the Federal Employees' Retirement System Act of 1986 or regulations prescribed under section 2157 of this title.

(3) Benefits provided pursuant to this subsection shall be payable from the Central Intelligence Agency Retirement and Disability Fund.

(Pub. L. 88-643, title III, §304, as added Pub. L. 102-496, title VIII, §802, Oct. 24, 1992, 106 Stat. 3244; amended Pub. L. 103-178, title II, §202(a)(15), Dec. 3, 1993, 107 Stat. 2027; Pub. L. 118-31, div. G, title IX, §7901(d)(4), Dec. 22, 2023, 137 Stat. 1106.)

Editorial Notes

REFERENCES IN TEXT

Section 302(a) of the Federal Employees' Retirement System Act of 1986, referred to in subsecs. (c)(7)(A), (B), (d)(7)(A), (B)(i), and (i)(2)(B), is section 302(a) of Pub. L. 99-335, which is set out as a note under section 8331 of Title 5, Government Organization and Employees.

PRIOR PROVISIONS

A prior section 304 of Pub. L. 88-643, as added Pub. L. 99-335, title V, §506, June 6, 1986, 100 Stat. 626; amended Pub. L. 100-178, title IV, §402(b)(2), Dec. 2, 1987, 101 Stat. 1014; Pub. L. 102-183, title III, §309(a), Dec. 4, 1991, 105 Stat. 1266, related to special rules for former spouses 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.

AMENDMENTS

2023—Subsec. (c)(1)(B)(i). Pub. L. 118-31, §7901(d)(4)(A), substituted “title 5” for “title 50”.

Subsec. (c)(5)(A)(ii). Pub. L. 118-31, §7901(d)(4)(B), substituted “section 8442” for “sections 8442”.

1993—Subsec. (i)(1). Pub. L. 103-178 substituted “section 2002(a)(4)” for “section 2002(a)(3)”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-178 effective Feb. 1, 1993, see section 202(b) of Pub. L. 103-178, set out as a note under section 2001 of this title.

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.

§ 2155. Administrative provisions

(a) Finality of decisions of Director

Section 2011(c) of this title shall apply in the administration of chapter 84 of title 5 with respect to employees of the Agency.

(b) Exception

Notwithstanding subsection (a), section 8461(e) of title 5 shall apply with respect to employees of the Agency who are not participants in the Central Intelligence Agency Retirement and Disability System and are not designated under section 2152(a) of this title.

(Pub. L. 88-643, title III, §305, as added Pub. L. 102-496, title VIII, §802, Oct. 24, 1992, 106 Stat. 3251.)

Editorial Notes

PRIOR PROVISIONS

A prior section 305 of Pub. L. 88-643, as added Pub. L. 99-335, title V, §506, June 6, 1986, 100 Stat. 627, related to administrative provisions 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.

§ 2156. Regulations

(a) Requirement

The Director shall prescribe in regulations appropriate procedures to carry out this subchapter. Such regulations shall be prescribed in consultation with the Director of the Office of Personnel Management and the Executive Director of the Federal Retirement Thrift Investment Board.

(b) Congressional review

The Director shall submit regulations prescribed under subsection (a) to the congressional intelligence committees before they take effect.

(Pub. L. 88-643, title III, §306, as added Pub. L. 102-496, title VIII, §802, Oct. 24, 1992, 106 Stat. 3251.)

Editorial Notes

PRIOR PROVISIONS

A prior section 306 of Pub. L. 88-643, as added Pub. L. 99-335, title V, §506, June 6, 1986, 100 Stat. 628, related to regulations 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.