

Public Law 97-141  
97th Congress

## An Act

To amend title 5, United States Code, to extend the Federal Physicians Comparability Allowance Act of 1978, and for other purposes.

Dec. 29, 1981

[S. 1551]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Physicians Comparability Allowance Amendments of 1981".*

Federal  
Physicians  
Comparability  
Allowance  
Amendments of  
1981.  
5 USC 5948 note.

SEC. 2. Section 5948 of title 5, United States Code, is amended—

(1) in subsection (d)—

(A) by striking out "September 30, 1981" and inserting in lieu thereof "September 30, 1983"; and

(B) by striking out "September 30, 1983" and inserting in lieu thereof "September 30, 1985";

(2) in subsection (g), by amending so much of paragraph (1) as precedes subparagraph (A) to read as follows:

"(1) 'Government physician' means any individual employed as a physician or dentist who is paid under—"; and

(3) in subsection (g)(1)(F), by striking out "title 4 of the Foreign Service Act of 1946 (22 U.S.C. 861-890)" and inserting in lieu thereof "chapter 4 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3961 and following)".

"Government  
physician."

SEC. 3. Section 3 of the Federal Physicians Comparability Allowance Act of 1978 (Public Law 95-603; 92 Stat. 3018) is amended by striking out "September 30, 1983" and inserting in lieu thereof "September 30, 1985".

5 USC 5948 note.

SEC. 4. (a) Any service agreement entered into on or after the date of the enactment of this Act pursuant to section 5948 of title 5, United States Code, as amended by section 2 of this Act, shall be effective only to such extent or in such amounts as are provided in advance in appropriation Acts.

5 USC 5948 note.

(b) The amendments made by this Act shall not be construed to authorize additional or supplemental appropriations for the fiscal year ending September 30, 1982.

SEC. 5. (a) Section 8344(c) of title 5, United States Code, relating to termination of civil service annuities on reemployment, is amended by adding at the end thereof the following: "Upon separation from such position, an individual whose annuity is so terminated is entitled to have his rights redetermined under this subchapter, except that the amount of the annuity resulting from such redetermination shall be at least equal to the amount of the terminated annuity plus any increases under section 8340 of this title occurring after the termination and before the commencement of the redetermined annuity."

(b)(1) Subject to paragraph (2), the amendment made by subsection (a) shall apply to individuals whose annuities terminate under section 8344(c) of title 5, United States Code, on or after October 1, 1976.

Effective date.  
5 USC 8344 note.

(2) In the case of an individual whose reemployment ended before the date of the enactment of this Act, the amendment shall apply only upon application by the individual to the Office of Personnel

Management within one year after the date of enactment. Upon receipt of such application, the Office shall recompute the annuity, effective as of the day following the day reemployment ended.

Approved December 29, 1981.

Dec 29 1981  
12 1981

Relief  
Information  
Cooperation  
Administration  
1981  
U.S.C. 5848 note

Program

U.S.C. 5848 note

U.S.C. 5848 note

Effective date  
U.S.C. 5848 note

As amended by the Senate and House of Representatives of the United States of America in Conference assembled, that this Act may be cited as the "Federal Physicians Competency Allowance Act of 1981".

SEC. 2. Section 1018 of title 5, United States Code, is amended—

(1) in subsection (1)—

(A) by striking out "September 30, 1981" and inserting in lieu thereof "September 30, 1982"; and

(B) by striking out "September 30, 1982" and inserting in lieu thereof "September 30, 1983";

(2) in subsection (2), by amending so much of paragraph (1) as reads—

"(A) Government physician means any individual employed as a physician or health care worker under—"

(B) in subsection (2)(F), by striking out "title 4 of the Federal Service Act of 1954 (5 U.S.C. 601-690)", and inserting in lieu thereof "chapter 4 of title 5 of the Federal Service Act of 1954 (5 U.S.C. 5301 and following)";

SEC. 3. Section 2 of the Federal Physicians Competency Allowance Act of 1978 (Public Law 95-508, 92 Stat. 3018) is amended by striking out "September 30, 1982" and inserting in lieu thereof "September 30, 1983".

SEC. 4. (a) Any service agreement entered into on or after the date of the enactment of this Act pursuant to section 5349 of title 5, United States Code, as amended by section 2 of this Act, shall be eligible only to such extent or health amounts as are provided in advance in an agreement.

(b) The amendments made by this Act shall not be construed to authorize additional or supplemental applications for the fiscal year ending September 30, 1982.

SEC. 5. (a) Section 5349A of title 5, United States Code, relating to termination of civil service annuity on reemployment, is amended by adding at the end thereof the following: "Upon separation from such position, an individual whose annuity is so terminated is entitled to have his rights determined under this subsection, except that the amount of the annuity resulting from such determination shall be at least equal to the amount of the terminated annuity plus any increase under section 5349 of this title occurring after the termination and before the commencement of the reemployment annuity."

(b) Subject to paragraph (2), the amendments made by this Act shall apply to individuals—

**LEGISLATIVE HISTORY—S. 1551 (H.R. 4793):**

- HOUSE REPORT No. 97-317 accompanying H.R. 4793 (Comm. on Post Office and Civil Service).
- SENATE REPORT No. 97-257 (Comm. on Governmental Affairs).
- CONGRESSIONAL RECORD, Vol. 127 (1981):
  - Nov. 9, considered and passed Senate.
  - Nov. 17, H.R. 4793 considered and passed House; proceedings vacated and S. 1551, amended, passed in lieu.
  - Dec. 15, Senate concurred in House amendments.