

Public Law 99-638
99th Congress

An Act

To amend title 5, United States Code, to credit time spent in the Cadet Nurse Corps during World War II as creditable service for civil service retirement; and to provide civil service retirement credit for certain employees and former employees of nonappropriated fund instrumentalities under the jurisdiction of the Armed Forces.

Nov. 10, 1986
[H.R. 2663]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) service described in subsection (b) shall be considered creditable civilian service for purposes of subchapter III of chapter 83, or chapter 84, of title 5, United States Code, as applicable, in the case of any individual who meets the requirements of subsection (c).

5 USC 8332 note.

5 USC 831,
8431 *et seq.*

(b) This section relates to any period of training as a student or graduate nurse under a plan approved under section 2 of the Act of June 15, 1943 (57 Stat. 153), if the total period of training under such plan was at least 2 years.

(c)(1) An individual may not receive credit for service pursuant to this Act unless—

(A) within 14 months after the date of the enactment of this Act, and in accordance with regulations under subsection (d), the individual files appropriate written application with the Office of Personnel Management;

(B) at the time of filing the application under subparagraph (A), the individual is employed by the Government and subject to subchapter III of chapter 83 of title 5, United States Code (other than section 8344 of such title), or chapter 84 of such title (other than section 8468 of such title);

(C) before the date of the separation on which is based the individual's entitlement to an annuity under subchapter III of chapter 83 of title 5, United States Code, or chapter 84 of such title, as applicable, such individual deposits into the Civil Service Retirement and Disability Fund the amount required under paragraph (2) with respect to the period of training involved.

(2) The amount to be deposited shall be determined by the Office of Personnel Management in a manner consistent with applicable provisions of subchapter III of chapter 83 of title 5, United States Code, chapter 84 of such title or title III of the Federal Employees' Retirement System Act of 1986, as the case may be, relating to deposits for earlier periods of civilian service for which deductions from basic pay have not been made.

Ante, p. 599.

(d) The Office of Personnel Management shall, not later than 2 months after the date of the enactment of this Act, prescribe regulations to carry out this Act.

Regulations.

SEC. 2. RETIREMENT CREDIT FOR CERTAIN FORMER EMPLOYEES OF NONAPPROPRIATED FUND INSTRUMENTALITIES.

(a) **SHORT TITLE.**—This section may be cited as the "Nonappropriated Fund Instrumentalities Employees' Retirement Credit Act of 1986".

Nonappropriated Fund Instrumentalities Employees' Retirement Credit Act of 1986.
5 USC 8331 note.

5 USC 8331.

(b) **IN GENERAL.**—(1) Section 2105(c)(1) of title 5, United States Code, is amended by inserting “of this title, subchapter III of chapter 83 of this title to the extent provided in section 8332(b)(16) of this title,” after “chapter 53”.

(2) Subchapter (b) of section 8332 of such title is amended—

(A) by striking out “and” at the end of paragraph (14);

(B) by striking out the period at the end of paragraph (15) and inserting in lieu thereof “; and”;

(C) by inserting after paragraph (15) the following new paragraph:

“(16) service performed by any individual as an employee described in section 2105(c) of this title after June 18, 1952, and before January 1, 1966, if (A) such service involved conducting an arts and crafts, drama, music, library, service club, youth activities, sports, or recreation program (including any outdoor recreation program) for personnel of the armed forces, and (B) such individual is an employee subject to this subchapter on the day before the date of the enactment of the Nonappropriated Fund Instrumentalities Employees’ Retirement Credit Act of 1986.”; and

(D) by adding at the end thereof the following: “The Office of Personnel Management shall accept, for the purposes of this subchapter, the certification of the head of a nonappropriated fund instrumentality of the United States concerning service of the type described in paragraph (16) of this subsection which was performed for such appropriated fund instrumentality.”.

5 USC 8332 note.

(c) **EFFECTIVE DATE.**—Notwithstanding any other provision of this Act which specifies an effective date for amendments made by this Act, the amendments made by this section shall take effect on the date of the enactment of this Act.

Approved November 10, 1986.

LEGISLATIVE HISTORY—H.R. 2663:

CONGRESSIONAL RECORD, Vol. 132 (1986):

Oct. 6, considered and passed House.

Oct. 18, considered and passed Senate, amended; House concurred in Senate amendments.