

public auction to the highest bidder on such terms as he may prescribe, at not less than the appraised value thereof, first having given not less than sixty days' public notice of the time, place, and terms of sale immediately prior to such sale by publication in at least one newspaper having a general circulation in the section of the country in which the lands are situated and in such other newspapers as he may deem advisable; that any lots remaining unsold may be reoffered for sale at any subsequent time in the same manner at the discretion of the Secretary of the Interior; and if not sold at such second offering for want of bidders then the Secretary of the Interior shall sell the same at private sale for cash at not less than the appraised value.

Reoffering of unsold lots.

Sale at private sale of remaining.

Patent to municipality, of reservations for parks and other purposes at designated price.

SEC. 3. That when a town organized as a municipality embraces the lands in question, the Secretary of the Interior is authorized to issue patent to the said municipality, upon the payment of \$1.25 per acre, for all reservations, for parks, aviation field, schools, and other public purposes, to be maintained for such purposes only.

Approved, July 3, 1926.

July 3, 1926.

[H. R. 7.]

[Public, No. 522.]

CHAP. 801.—An Act To amend the Act entitled "An Act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, and Acts in amendment thereof.

Retirement of classified civil service employees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, and Acts in amendment thereof, be, and they are hereby, amended to read as follows:

ELIGIBILITY FOR SUPERANNUATION RETIREMENT

Age and service eligibility.
Vol. 41, p. 614, amended.

Provisos.
Postal employees, laborers, and mechanics.

Railway postal clerks, hazardous pursuits, and service in the Tropics.

Mechanics, involuntarily transferred as laborers since August 20, 1920.

Mechanics, reduced after 30 years' service.

SEC. 1. All employees to whom this Act applies who, before its effective date, shall have attained or shall thereafter attain the age of seventy years and rendered at least fifteen years of service computed as prescribed in section 5 of this Act shall be eligible for retirement on an annuity as provided in section 4 hereof: *Provided*, That city, rural, and village letter carriers, post-office clerks, sea post clerks, laborers, and mechanics generally shall, under like conditions, be eligible for retirement at sixty-five years of age and that railway postal clerks and those employees engaged in pursuits whose occupation is hazardous or requires great physical effort, or which necessitates exposure to extreme heat or cold, and those employees whose terms of service shall include fifteen years or more of such service rendered in the Tropics, shall be eligible at sixty-two years of age; the classification of employees for the purpose of assignment to the various age groups shall be determined jointly by the Civil Service Commission and the head of the department, branch, or independent office of the Government concerned. *Provided further*, That any such employee who was employed as a mechanic for the major portion of his service, and not less than fifteen years, and was subsequent to August 20, 1920, involuntarily transferred to employment as a laborer and thereafter involuntarily discharged from the service of the United States, shall receive such annuity as he would have been entitled to, if on the day of his discharge from the service he had been retired under the provisions of this Act: *Provided further*, That any mechanic, having served thirty years, who was, through no fault of his own, transferred or reduced to a minor position, and who shall have attained, or who shall thereafter attain the age of sixty-two years, shall have his

annuity computed upon his average annual basic salary, pay, or compensation, for the last ten years of his service as a mechanic.

Provided further, That the term "mechanics" as used in this Act shall include all employees in the Government Printing Office whose duties are to supervise, perform, or assist in apprentice, helper, or journeyman work of a recognized trade or craft, as determined by the Public Printer.

Government Printing Office employees included as "mechanics."

AUTOMATIC SEPARATION

SEC. 2. All employees to whom this Act applies shall, on arriving at retirement age as defined in the preceding section and having rendered fifteen years of service, be automatically separated from the service, and all salary, pay, or compensation shall cease from that date, and it shall be the duty of the head of each department, branch or independent office of the Government concerned to notify such employees under his direction of the date of such separation from the service at least sixty days in advance thereof: *Provided*, That if not less than thirty days before the arrival of an employee at the age of retirement, the head of the department, branch, or independent office of the Government in which he is employed certifies to the Civil Service Commission that by reason of his efficiency and willingness to remain in the civil service of the United States the continuance of such employee therein would be advantageous to the public service, such employee may be retained for a term not exceeding two years upon the approval and certification by the Civil Service Commission and at the end of the two years he may, by similar approval and certification, be continued for an additional term not exceeding two years and so on: *Provided, however*, That after August 20, 1930, no employee shall be continued in the civil service of the United States beyond the age of retirement for more than four years.

Automatic separation from service on reaching retirement age, etc.
Vol. 41, p. 617, amended.
Notice of, to be given.

Provisos.
Temporary retention on certificate by head of department, etc.
Post, p. 1381.

Final separation.

Whenever an employee shall make application for such continuation in the civil service, and shall submit acceptable proof of his present physical fitness to perform his work, it shall be the duty of the head of the department, branch, or independent office of the Government concerned to obtain from the immediate superior in the service of such applicant all efficiency ratings and other information on file respecting the character of the work of such applicant, and shall also obtain from such immediate superior his opinion in writing with respect to the efficiency of the work performed by such applicant. From such information shall be eliminated increases in ratings, credits, and other preferences for any cause whatsoever other than the character of work actually performed. Should such information show that the applicant has been efficient and competent during the two years next preceding his application for continuance in the civil service, the head of the department, branch or independent office of the Government concerned shall, as of course, certify to the United States Civil Service Commission that, by reason of the efficiency and willingness of such applicant to remain in the civil service of the United States, the continuance of such employee would be advantageous to the public service.

Action on application of employee for retention.

Head of department to certify to Civil Service Commission, if retention advantageous to the public service.

No person separated from the service who is receiving an annuity under the provisions of section 1 of this Act, shall be employed again in any position within the purview of this Act.

Annuitants restricted employment in other positions.

EMPLOYEES TO WHOM THE ACT SHALL APPLY

Application of Act.

SEC. 3. This Act shall apply to the following employees and groups of employees:

Vol. 41, p. 614, amended.

(a) All employees in the classified civil service of the United States, including all persons who have been heretofore or may

Classified civil service employees, including additions by Executive orders, etc.

hereafter be given a competitive status in the classified civil service, with or without competitive examination, by legislative enactment, or under civil service rules promulgated by the President, or by Executive orders covering into the competitive classified service groups of employees with their positions, or authorizing the appointment of individuals to positions within such service.

Other specified employees.

(b) Superintendents of United States national cemeteries, and such employees of the offices of solicitors of the several executive departments, of the Architect of the Capitol, of the Library of Congress, and of the United States Botanic Garden, of the recorder of deeds and register of wills of the District of Columbia, whose tenure of employment is not intermittent nor of uncertain duration.

Citizen employees of Panama Canal.

(c) All employees of the Panama Canal on the Isthmus of Panama who are citizens of the United States and whose tenure of employment is not intermittent nor of uncertain duration.

Unclassified employees in cities, etc., appointed under labor regulations, etc.

(d) Unclassified employees of the United States in all cities and in all establishments or offices in which appointments are made under labor regulations approved by the President, or from subclerical or other registers for the classified service; and unclassified employees transferred from classified positions: *Provided*, That these groups shall include only those employees whose tenure of employment is not intermittent nor of uncertain duration.

Proviso.
Permanent tenure necessary.

District of Columbia employees.

(e) All regular annual employees of the municipal government of the District of Columbia, appointed directly by the commissioners or by other competent authority, including those employees receiving per diem compensation paid out of general appropriations and including public-school employees, excepting school officers and teachers.

School teachers, etc., excepted.

Employees, extended by Executive orders.

(f) All employees and groups of employees to whom the benefits of the Act of May 22, 1920, and amendments thereof, shall have been extended by Executive orders.

Postmasters promoted, etc., from classified civil service.

(g) Postmasters of the first, second, and third class who have been promoted, appointed, or transferred from the classified civil service.

Exclusions.
Lighthouse employees.
Vol. 40, p. 608.

This Act shall not apply to such employees of the Lighthouse Service as come within the provisions of section 6 of the Act of June 20, 1918, entitled "An Act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes," nor to members of the police and fire departments of the municipal government of the District of Columbia, nor to postmasters, excepting those specifically described in paragraph (g) of this section, nor to such employees or groups of employees as may have been before the effective date of this Act excluded by Executive orders from the benefits of the Act of May 22, 1920, and amendments thereof.

Police and fire departments, D. C.
Other postmasters.
Supra.
Excluded by Executive orders.

Extensions permitted by Executive orders.

Discretionary exclusion if tenure intermittent, etc.

The provisions of this Act may be extended by Executive order, upon recommendation of the Civil Service Commission, to apply to any employee or group of employees in the civil service of the United States not included at the time of its passage. The President shall have power, in his discretion, to exclude from the operation of this Act any employee or group of employees in the civil service whose tenure of office or employment is intermittent or of uncertain duration: *Provided*, That the provisions of this Act shall apply to anyone who entered the United States mail service as a rural carrier before January 1, 1897, and who continued in the service as such carrier continuously for twenty years or more, and who was honorably separated from the service. Such carrier shall be paid such compensation under this Act as his length of service entitles him to receive.

Proviso.
Application to rural mail carrier of designated service, etc.

METHOD OF COMPUTING ANNUITIES

Annuities.

SEC. 4. The annuity of an employee retired under the provisions of the preceding sections of this Act shall be computed by multiplying the average annual basic salary, pay, or compensation, not to exceed \$1,500 per annum, received by such employee during the ten years of allowable service next preceding the date of retirement, by the number of years of service, not to exceed thirty years, and dividing the product by forty-five. In no case, however, shall the annuity exceed \$1,000 per annum. For the purposes of this Act all periods of service shall be computed in accordance with section 5 hereof, and the annuity shall be fixed at the nearest multiple of twelve.

Method of computing.

Maximum.

The term "basic salary, pay, or compensation," wherever used in this Act shall be so construed as to exclude from the operation of the Act all bonuses, allowances, overtime pay, or salary, pay, or compensation given in addition to the base pay of the position as fixed by law or regulation.

Bonuses, etc., excluded from basic pay.

COMPUTATION OF ACCREDITED SERVICE

Accredited service.

SEC. 5. Subject to the provisions of section 9 hereof, the aggregate period of service which forms the basis for calculating the amount of any benefit provided in this Act shall be computed from the date of original employment, whether as a classified or an unclassified employee in the civil service of the United States, including periods of service at different times and in one or more departments, branches or independent offices of the Government, and also periods of service performed overseas under authority of the United States, and periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States; in the case of an employee, however, who is eligible for and elects to receive a pension under any law, or retired pay on account of military or naval service, or compensation under the War Risk Insurance Act, the period of his military or naval service upon which such pension, retired pay, or compensation is based shall not be included, but nothing in this Act shall be so construed as to affect in any manner his or her right to a pension, or to retired pay, or to compensation under the War Risk Insurance Act in addition to the annuity herein provided.

Periods of all service included in computing. Vol. 41, p. 615, amended.

Overseas, military-naval, etc.

Deduction of period entitling to pension, etc.

Pensions, or War Risk compensation rights not affected.

In computing length of service for the purposes of this Act all periods of separation from the service, and so much of any leaves of absence as may exceed six months in the aggregate in any calendar year, shall be excluded, and in the case of substitutes in the Postal Service credit shall be given from date of original appointment as a substitute.

Periods of separations, etc., excluded.

In determining the aggregate period of service upon which the annuity is to be based, the fractional part of a month, if any, in the total service shall be eliminated.

Fractions of a month disregarded.

DISABILITY RETIREMENT—MEDICAL EXAMINATIONS REQUIRED

Disability retirement.

SEC. 6. Any employee to whom this Act applies who shall have served for a total period of not less than fifteen years, and who, before becoming eligible for retirement under the conditions defined in the preceding sections hereof, becomes totally disabled for useful and efficient service in the grade or class of position occupied by the employee, by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the employee, shall upon his own application or upon the request or order of the head of the department, branch or independent office concerned,

Annuity allowed on application if totally disabled before retirement age. Vol. 41, p. 616, amended.

Computation.

Proviso.
Habits prior five
years before disabled.

Time limit.

Medical examina-
tion.

Annual medical ex-
aminations.

Requirement for, un-
til retirement age, un-
less disability perma-
nent.

Annuity discon-
tinued on recovery, etc.

Payment suspended
on failure to be exam-
ined.

Special examina-
tions.

Discontinued annu-
ities.

Difference between
contributions and the
amount paid, to be re-
turned.

No annuity if at the
same time receiving
compensation for in-
juries under Act of 1916.
Vol. 39, p. 742.

Choice of greater
benefit allowed.

Fees, etc., for medi-
cal examinations.

be retired on an annuity computed in accordance with the provisions of section 4 hereof: *Provided*, That proof of freedom from vicious habits, intemperance, or willful misconduct for a period of more than five years next prior to becoming so disabled for useful and efficient service, shall not be required in any case. No claim shall be allowed under the provisions of this section unless the application for retirement shall have been executed prior to the applicant's separation from the service or within six months thereafter. No employee shall be retired under the provisions of this section unless examined by a medical officer of the United States, or a duly qualified physician or surgeon, or board of physicians or surgeons, designated by the Commissioner of Pensions for that purpose, and found to be disabled in the degree and in the manner specified herein.

Every annuitant retired under the provisions of this section, unless the disability for which retired be permanent in character, shall at the expiration of one year from the date of such retirement and annually thereafter, until reaching retirement age as defined in section 1 hereof, be examined under the direction of the Commissioner of Pensions by a medical officer of the United States, or a duly qualified physician or surgeon, or board of physicians or surgeons designated by the Commissioner of Pensions for that purpose, in order to ascertain the nature and degree of the annuitant's disability, if any. If an annuitant shall recover before reaching retirement age and be restored to an earning capacity which would permit him to be appointed to some appropriate position fairly comparable in compensation to the position occupied at the time of retirement, payment of the annuity shall be continued temporarily to afford the annuitant opportunity to seek such available position, but not in any case exceeding ninety days from the date of the medical examination showing such recovery. Should the annuitant fail to appear for examination, as required under this section, payment of the annuity shall be suspended until continuance of the disability shall have been satisfactorily established. The Commissioner of Pensions may order or direct at any time such medical or other examination as he shall deem necessary to determine the facts relative to the nature and degree of disability of any employee retired on an annuity under this section.

In all cases where the annuity is discontinued under the provisions of this section before the annuitant has received a sum equal to the total amount of his contributions with accrued interest, the difference, unless he shall become reemployed in a position within the purview of this Act, shall be paid to the retired employee, as provided in section 12 hereof, upon application therefor in such form and manner as the Comptroller General may direct. In case of reemployment in a position within the purview of this Act the amount so refunded shall be redeposited as provided in section 12 hereof.

No person shall be entitled to receive an annuity under the provisions of this Act, and compensation under the provisions of the Act of September 7, 1916, entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," covering the same period of time; but this provision shall not be so construed as to bar the right of any claimant to the greater benefit conferred by either Act for any part of the same period of time.

Fees for examinations made under the provisions of this section, by physicians or surgeons who are not medical officers of the United States, shall be fixed by the Commissioner of Pensions, and such fees, together with the employee's reasonable traveling and other

expenses incurred in order to submit to such examinations, shall be paid out of the appropriations for the cost of administering this Act.

Payment of.

INVOLUNTARY SEPARATION FROM THE SERVICE

Involuntary separation from service.

SEC. 7. Should any employee fifty-five years of age or over to whom this Act applies, after having served for a total period of not less than fifteen years and before becoming eligible for retirement under the conditions defined in section 1 hereof, become involuntarily separated from the service, not by removal for cause or charges of misconduct or delinquency, such employee shall be paid as he or she may elect, either—

Payments, if of specified age and service, separated not for cause, before eligible for retirement.

(a) The amount of the deductions from his basic salary, pay, or compensation made under section 10 of this Act and under Act of May 22, 1920, including accrued interest thereon computed as prescribed in section 12 hereof; or

Return of salary deductions.

(b) An immediate life annuity beginning at the date of separation from the service, having a value equal to the present worth of a deferred annuity, beginning at the age at which the employees would otherwise have become eligible for superannuation retirement computed as provided in section 4 of this Act; or

Immediate life annuity.

(c) A deferred annuity beginning at the age at which the employee would otherwise have become eligible for superannuation retirement, computed as provided in section 4 of this Act. The right to such deferred annuity shall be evidenced by a proper certificate issued under the seal of the Department of the Interior.

Computation of Act, p. 907.

Any employee who has served for a period of not less than fifteen years, and who is forty-five years of age, or over, and less than fifty-five years, and who becomes separated from the service under the conditions set forth in this section shall be entitled to a deferred annuity, but such employee may, upon reaching the age of fifty-five years, elect to receive an immediate annuity as provided in paragraph (b) of this section.

Deferred annuity beginning at eligible age.

Deferred annuity with special service, and age between 45 and 55 years.

Should an annuitant under the provisions of this section be reemployed in a position included in the provisions of this Act, or in any other position in the Government service, the annuity shall cease, and all rights and benefits under the provisions of this section shall terminate from and after the date of such employment.

Immediate annuity at 55, authorized.

Annuities, etc., to cease if again employed.

This section shall include former employees within the provisions of the Act of May 22, 1920, or said Act as amended or as extended by Executive orders, who may have been separated from the service subsequent to August 20, 1920, under the conditions defined in this section: *Provided*, That in the case of an employee who has withdrawn his deductions from the "civil-service retirement and disability fund," such employee shall be required to return the amount so withdrawn with interest compounded on June 30 of each year at the rate of 4 per centum per annum before he shall be entitled to the benefits of this section.

Applicable to former employees separated from service.

Proviso. Return of withdrawn pay, reductions, etc.

BENEFITS EXTENDED TO THOSE ALREADY RETIRED

Retired employees.

SEC. 8. In the case of those who before the effective date of this Act shall have been retired on annuity under the provisions of the Act of May 22, 1920, or said Act as amended, or as extended by Executive orders, the annuity shall be computed, adjusted, and paid under the provisions of this Act, but this Act shall not be so construed as to reduce the annuity of any person retired before its effective date, nor shall any increase in annuity commence before such effective date.

Benefits of Act extended to, under former Act.

Past service.

CREDIT FOR PAST SERVICE

Deposits to credit of fund by employees hereafter brought within purview of this Act. From July 31, 1920, to effective date.

SEC. 9. Beginning with the effective date of this Act, all employees who may be brought then or thereafter within the purview of the Act by legislative enactment, or by appointment, or through classification, or by transfer, or reinstatement, or Executive order, or otherwise, shall be required to deposit with the Treasurer of the United States to the credit of the "civil-service retirement and disability fund" a sum equal to $2\frac{1}{2}$ per centum of the employee's basic salary, pay, or compensation received for services rendered after July 31, 1920, and prior to the effective date of this Act, and also $3\frac{1}{2}$ per centum of the basic salary, pay, or compensation for services rendered after the effective date of this Act, together with interest computed at the rate of 4 per centum per annum compounded on June 30 of each fiscal year, but such interest shall not be included for any period during which the employee was separated from the service. Upon making such deposit the employee shall be entitled to credit for the period or periods of service involved: *Provided*, That failure to make such deposit shall not deprive the employee of credit for any past service rendered prior to August 1, 1920, to which he or she would otherwise be entitled.

Thereafter.

Proviso.
Failure not to deprive credit for service prior to August 1, 1920.

DEDUCTIONS AND DONATIONS

Monthly deductions from salaries.
Vol. 41, p. 618, amended.
Transferred to special fund.

SEC. 10. Beginning as of July 1, 1926, there shall be deducted and withheld from the basic salary, pay, or compensation of each employee to whom this Act applies a sum equal to $3\frac{1}{2}$ per centum of such employee's basic salary, pay, or compensation. The amounts so deducted and withheld from the basic salary, pay, or compensation of each employee shall, in accordance with such procedure as may be prescribed by the Comptroller General of the United States, be deposited in the Treasury of the United States to the credit of the "civil-service retirement and disability fund" created by the Act of May 22, 1920, and said fund is hereby appropriated for the payment of annuities, refunds, and allowances as provided in this Act.

Appropriations therefrom.

Acceptance and application of donations to fund.

The Secretary of the Treasury is hereby authorized and empowered in carrying out the provisions of this Act to supplement the individual contributions of employees with moneys received in the form of donations, gifts, legacies, or bequests, or otherwise, and to receive, deposit, and invest for the purposes of this Act all moneys which may be contributed by private individuals or corporations or organizations for the benefit of civil-service employees generally.

Consent of deductions from pay inferred.
Vol. 41, p. 618, amended.

Payment a full discharge of all claims for services except annuities.

R. S., secs. 167-169, p. 27.

Every employee coming within the provisions of this Act shall be deemed to consent and agree to the deductions from salary, pay, or compensation as provided herein, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all regular services rendered by such employee during the period covered by such payment, except the right to the benefits to which he shall be entitled under the provisions of this Act, notwithstanding the provisions of sections 167, 168, and 169 of the Revised Statutes of the United States, and of any other law, rule, or regulation affecting the salary, pay, or compensation of any person or persons employed in the civil service to whom this Act applies.

Investments.

INVESTMENTS AND ACCOUNTS

Of unused portion of special fund in Federal securities, etc.

SEC. 11. The Secretary of the Treasury shall invest from time to time, in interest-bearing securities of the United States or Federal

farm-loan bonds, such portions of the "civil-service retirement and disability fund" as in his judgment may not be immediately required for the payment of annuities, refunds, and allowances as herein provided, and the income derived from such investments shall constitute a part of said fund for the purpose of paying annuities and of carrying out the provisions of section 12 of this Act.

The Comptroller General shall establish and maintain an account showing the annual liabilities of the Government under this Act, and shall keep such other accounts as may be deemed necessary for a proper administration of the Act.

Infra.
Accounting by
Comptroller General.

RETURN OF AMOUNTS DEDUCTED FROM SALARIES

SEC. 12. In the case of any employee to whom this Act applies who shall be transferred to a position not within the purview of the Act, or who shall become absolutely separated from the service before becoming eligible for retirement on annuity, the total amount of deductions of salary, pay, or compensation heretofore or hereafter made with accrued interest computed at the rate of 4 per centum per annum, compounded on June 30 of each fiscal year, shall be returned to such employee: *Provided*, That all money so returned to an employee must, upon reinstatement, retransfer, or reappointment to a position coming within the purview of this Act, be redeposited with interest before such employee may derive any benefits under this Act, except as provided in this section, but interest shall not be required covering any period of separation from the service.

Return of pay deductions on transfer to a position not included in Act.

Proviso.
Redeposit if reinstated, etc.

The Commissioner of Pensions, with the approval of the Secretary of the Interior, shall establish rules and regulations for crediting and reporting deductions and for computing interest hereunder.

Rules, etc., to be made by Commissioner of Pensions.

In case an annuitant shall die without having received in annuities an amount equal to the total amount of deductions from his salary, pay, or compensation, with interest thereon at 4 per centum per annum compounded as herein provided up to the time of his death, an amount equal to the excess of the said accumulated deductions over and above the annuity payments made shall be paid in one sum to his legal representatives upon the establishment of a valid claim therefor.

Payment to be made if annuitant die before receiving total of deductions, etc.

In case an employee shall die without having attained eligibility for retirement or without having established a valid claim for annuity, the total amount of deductions with accrued interest thereon as herein provided shall be paid to the legal representatives of such employee.

Payment of deductions if employee die before age of retirement, etc.

In case a former employee entitled to return of deductions with accrued interest thereon as herein provided shall become legally incompetent, the total amount due may be paid to a duly appointed guardian or committee of such employee.

Payment to guardian, if employee entitled to deductions becomes legally incompetent.

If the amount of accrued annuity, or of accumulated deductions, or of refund due a former employee who is legally incompetent, together with accrued interest thereon payable under the provisions of this Act, does not exceed \$1,000, and if there has been no demand upon the Commissioner of Pensions by a duly appointed executor, administrator, guardian, or committee, payment may be made, after the expiration of thirty days from date of death or of separation from the service, as the case may be, to such person or persons as may appear in the judgment of the Commissioner of Pensions to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

Payment, if no executor, guardian, etc., appointed, of amounts not exceeding \$1,000.

PAYMENT OF ANNUITIES AND FORM OF APPLICATION

Monthly payment of annuities by check.
Vol. 41, p. 619.

SEC. 13. Annuities granted under the terms of this Act shall be due and payable in monthly installments on the first business day of the month following the month or other period for which the annuity shall have accrued, and payment of all annuities, refunds, and allowances granted hereunder shall be made by checks drawn and issued by the disbursing clerk for the payment of pensions in such form and manner and with such safeguards as shall be prescribed by the Secretary of the Interior in accordance with the laws, rules, and regulations governing accounting that may be found applicable to such payments.

Applications for annuity.
Certificate from head of department, etc.
Vol. 41, p. 617, amended.

Applications for annuity shall be in such form as the Commissioner of Pensions may prescribe, and shall be supported by such certificates from the heads of departments, branches or independent offices of the Government in which the applicant has been employed, as may be necessary to the determination of the rights of the applicant. Upon receipt of satisfactory evidence the Commissioner of Pensions shall forthwith adjudicate the claim of the applicant, and if title to annuity be established, a proper certificate shall be issued to the annuitant under the seal of the Department of the Interior.

Certificate to annuitant if claim established.

Commencement and continuance.

Disability and involuntary separation.

Annuities granted under this Act for retirement under the provisions of section 1 of this Act shall commence from the date of separation from the service and shall continue during the life of the annuitant. Annuities granted under the provisions of sections 6 and 7 hereof shall be subject to the limitations specified in said sections.

Employees returning to annuity status from other Government position, credited for service therein.

SEC. 14. Employees who have gone from employment within the purview of this Act to other employment under the Government and have returned to a position under the purview of this Act shall have the time of such other service included in the computation for his retirement: *Provided*, That such employee shall contribute to the retirement fund upon reentering such employment within the purview of this Act an amount, including interest, equivalent to that which would have been paid if such employee had continued in such employment.

Proviso.
Contribution to the fund required.

Civil Service Commission.

DUTIES OF THE CIVIL SERVICE COMMISSION

Record of individual services to be kept by.
Vol. 41, p. 619.

SEC. 15. The Civil Service Commission shall keep a record of appointments, transfers, changes in grade, separations from the service, reinstatements, loss of pay, and such other information concerning individual service as may be deemed essential to a proper determination of rights under this Act; and shall furnish the Commissioner of Pensions such reports therefrom as he shall from time to time request as necessary to the proper adjustment of any claim for annuity hereunder; and shall prepare and keep all needful tables and records required for carrying out the provisions of this Act, including data showing the mortality experience of the employees in the service and the percentage of withdrawals from such service, and any other information that may serve as a guide for future valuations and adjustments of the plan for the retirement of employees under this Act.

Data, etc., for Commissioner of Pensions, etc.

Board of Actuaries.

BOARD OF ACTUARIES

Selection of, by Commissioner of Pensions. Duties.

SEC. 16. The Commissioner of Pensions, with the approval of the Secretary of the Interior, is hereby authorized and directed to select three actuaries, one of whom shall be the Government actuary, to

be known as the Board of Actuaries, whose duty it shall be to annually report upon the actual operations of this Act, with authority to recommend to the Commissioner of Pensions such changes as in their judgment may be deemed necessary to protect the public interest and maintain the system upon a sound financial basis, and they shall make a valuation of the "civil-service retirement and disability fund" at intervals of five years, or oftener if deemed necessary by the Commissioner of Pensions; they shall also prepare such tables as may be required by the Commissioner of Pensions for the purpose of computing annuities under this Act. The compensation of the members of the Board of Actuaries, exclusive of the Government actuary, shall be fixed by the Commissioner of Pensions with the approval of the Secretary of the Interior.

Preparation of annuity tables, etc.

Compensation.

ADMINISTRATION

Administration.

SEC. 17. For the purpose of administration, except as otherwise provided herein, the Commissioner of Pensions, under the direction of the Secretary of the Interior, be, and is hereby, authorized and directed to perform, or cause to be performed, any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this Act into full force and effect. An appeal to the Secretary of the Interior shall lie from the final action or order of the Commissioner of Pensions affecting the rights or interests of any person or of the United States under this Act, the procedure on appeal to be as prescribed by the Commissioner of Pensions, with the approval of the Secretary of the Interior.

Authority conferred on Commissioner of Pensions. Vol. 41, p. 616.

Appeal to Secretary of the Interior.

The Commissioner of Pensions shall make a detailed comparative report annually showing all receipts and disbursements on account of annuities, refunds, and allowances, together with the total number of persons receiving annuities and the total amounts paid them, and he shall transmit to Congress, through the Secretary of the Interior, the reports and recommendations of the Board of Actuaries.

Detailed annual report of receipts, disbursements, etc. Vol. 41, p. 620, amended.

The Secretary of the Interior shall submit annually to the Bureau of the Budget estimates of the appropriations necessary to finance the retirement and disability fund and to continue this Act in full force and effect.

Estimates annually to Bureau of Budget. Vol. 41, p. 620, amended.

EXEMPTION FROM EXECUTION, AND SO FORTH

Exemption of annuities.

SEC. 18. None of the moneys mentioned in this Act shall be assignable, either in law or equity, or be subject to execution, levy, or attachment, garnishment, or other legal process.

Moneys from, nonassignable, etc. Vol. 41, p. 620.

EFFECTIVE DATE

Effective date.

SEC. 19. This Act shall become effective as of July 1, 1926, and all laws or parts of laws inconsistent with the provisions of this Act are hereby repealed as of said effective date.

In effect July 1, 1926. Inconsistent laws repealed.

Approved, July 3, 1926.

CHAP. 802.—Joint Resolution To provide for the expenses of delegates of the United States to the International Sanitary Conference to meet at Paris on May 10, 1926.

July 3, 1926. [H. J. Res. 232.] [Pub. Res., No. 41.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby author-

International Sanitary Conference.