

(d) **TREATMENT OF BRIEF, CASUAL, AND INNOCENT ABSENCES.**—During the period the beneficiary is in temporary status under subsection (a), the beneficiary shall not be considered to have failed to maintain continuous physical presence in the United States for purposes of such subsection by virtue of brief, casual, and innocent absences from the United States.

(e) **AFFIDAVITS.**—The Attorney General may require the beneficiary to submit affidavits for purposes of determinations made under subsection (c).

Approved October 25, 1988.

Private Law 100-24
100th Congress

An Act

Oct. 28, 1988
[H.R. 945]

For the relief of Allen H. Platnick.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SATISFACTION OF CLAIM AGAINST UNITED STATES.

The Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,756.02 to Allen H. Platnick. The payment of such sum shall be in full satisfaction of any claim of such person against the United States arising out of an offer of employment at Fairchild Air Force Base that was made to such person in 1978 through agents of the United States Army and was subsequently withdrawn by agents of the United States Air Force.

SEC. 2. LIMITATION ON ATTORNEYS AND AGENTS FEES.

It shall be unlawful for more than 10 percent of the amount appropriated in section 1 to be paid to or received by any agent or attorney for services rendered in connection with the claim described in such section. Any person who violates this section shall be fined not more than \$1,000.

Approved October 28, 1988.

Private Law 100-25
100th Congress

An Act

Oct. 28, 1988
[H.R. 1275]

For the relief of Joyce G. McFarland.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ENTITLEMENT TO SURVIVOR ANNUITY AND OTHER PAYMENTS.

For the purposes of sections 8339, 8332(c), 8334(j), and 8341 of title 5, and section 8991 of title 10, of the United States Code, the

late Neal G. McFarland (Service Number AF 34427284; Social Security Number 425-12-3260) shall be deemed to have, on March 28, 1975—

- (1) waived entitlement to his military retired pay,
- (2) elected to receive in lieu thereof a civil service retirement annuity based on his combined military and civilian service, and
- (3) made any deposit required to be made in order to receive such an annuity.

SEC. 2. PAYMENTS.

(a) TO JOYCE G. MCFARLAND.—

(1) MONTHLY PAYMENT OF ANNUITY.—A survivor annuity payable to Joyce G. McFarland by virtue of section 1 shall commence on the first day of the first calendar month beginning after the date of the enactment of this Act. The initial annuity rate shall be the annuity rate which Joyce G. McFarland would have been entitled to receive had this Act been enacted on April 16, 1975.

(2) LUMP SUM PAYMENT.—The Secretary of the Treasury shall pay to Joyce G. McFarland, out of the Civil Service Retirement and Disability Fund, a lump sum payment—

(A) equal to the sum of—

(i) the survivor annuity payments which Joyce G. McFarland would have been entitled to receive under chapter 83 of title 5, United States Code, had this Act been enacted on April 16, 1975; and

(ii) the civil service retirement annuity payments which would have been payable to Neal G. McFarland based on his service, had this Act been enacted on March 28, 1975; less

(B) an amount equal to the sum of—

(i) the amount referred to in subsection (b);

(ii) an amount equal to any deposit which he would have been required to make in order to have received a civil service retirement annuity based on his combined military and civilian service;

(iii) any interest which would have been required to be included with the payment of such deposit by section 8334(j)(2) of title 5, United States Code, had such deposit been made on the date of the enactment of this Act;

(iv) the amounts received by Neal G. McFarland under chapter 83 of title 5, United States Code, after March 28, 1975; and

(v) the amounts received by Joyce G. McFarland as survivor benefits under chapter 83 of title 5, United States Code, during the period beginning on April 16, 1975, and ending on the last day of the calendar month in which this Act is enacted.

(b) TO THE SECRETARY OF THE AIR FORCE.—The Secretary of the Treasury shall pay to the Secretary of the Air Force, out of the Civil Service Retirement and Disability Fund, an amount, which shall be credited to appropriations for retired pay, equal to the retired pay received by Neal G. McFarland from the Department of the Air Force after March 28, 1975.

SEC. 3. PROHIBITION AND PENALTY.

No part of the sums paid under section 2(a) of this Act in excess of 10 per centum thereof shall be paid or delivered to, or received by, any agent or attorney on account of the services rendered in connection with this claim, and such acts shall be unlawful, any contract or agreement to the contrary notwithstanding. Any person violating the preceding sentence shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$1,000.

Approved October 28, 1988.

Private Law 100-26
100th Congress

An Act

Oct. 28, 1988
[H.R. 1385]

For the relief of Travis D. Jackson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States hereby waives the liability of Travis D. Jackson of Wytheville, Virginia, who, on June 23, 1986, was an Assistant District Director of the Farmers' Home Administration, to repay the sum of \$6,709.26, representing the amount advanced to him by the Farmers' Home Administration for temporary living expenses and later determined by the Comptroller General of the United States not to have been properly advanced to Travis D. Jackson under agricultural travel regulations applicable to employees of the Farmers' Home Administration.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay to Travis D. Jackson out of any money in the Treasury not otherwise appropriated the sum of any amounts received or withheld from Travis D. Jackson on account of the amount determined to have been improperly advanced to him as described in the first section of this Act.

SEC. 3. Not more than 10 percent of the sum appropriated in section 2 shall be paid to or received by any agent or attorney as consideration for any services rendered in connection with the sum so appropriated, any contract to the contrary notwithstanding. Violation of this section shall be deemed a misdemeanor punishable by a fine of not more than \$1,000.

Approved October 28, 1988.

Private Law 100-27
100th Congress

An Act

Oct. 28, 1988
[H.R. 1826]

For the relief of Natasha Susan Middelman, Samantha Abigail Middelman, Naomi Katrina Orloff Middelman, and Hannah Emily Middelman.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,