

“§ 622. Relation to State laws

“This title does not annul, alter, affect, or exempt any person subject to the provisions of this title from complying with the laws of any State with respect to the collection, distribution, or use of any information on consumers, except to the extent that those laws are inconsistent with any provision of this title, and then only to the extent of the inconsistency.”

EFFECTIVE DATE

82 Stat. 167.

SEC. 602. Section 504 of the Consumer Credit Protection Act is amended by adding at the end thereof the following new subsection:

“(d) Title VI takes effect upon the expiration of one hundred and eighty days following the date of its enactment.”

Approved October 26, 1970.

Public Law 91-509

October 26, 1970
[S. 2695]

AN ACT

To provide for the retirement of officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the Executive Protective Service, and of certain officers and members of the United States Secret Service, and for other purposes.

Policemen and
Firemen's Retirement and Disabil-
ity Act Amend-
ments of 1970.
Definitions.
71 Stat. 391.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 of the Act of September 1, 1916 (39 Stat. 718), as amended (D.C. Code, sec. 4-521 et seq.) is amended as follows:

(1) Paragraph (4) of subsection (a) of such section (D.C. Code, sec. 4-521) is amended to read as follows:

“(4) The term ‘widower’ means the surviving husband of a member who was married to such individual while she was a member.”

(2) Paragraph (5) of subsection (a) of such section (D.C. Code, sec. 4-521) is amended to read as follows:

“(5)(A) The term ‘child’ means an unmarried child, including (i) an adopted child, and (ii) a stepchild or recognized natural child who lives with the member in a regular parent-child relationship, under the age of eighteen years, or such unmarried child regardless of age who, because of physical or mental disability incurred before the age of eighteen, is incapable of self-support.

“(B) The term ‘student child’ means an unmarried child who is a student between the ages of eighteen and twenty-two years, inclusive, and who is regularly pursuing a full-time course of study or training in residence or in a high school, trade school, technical or vocational institute, junior college, college, university, or comparable recognized educational institution.”

(3) Subsection (d) of such section (D.C. Code, sec. 4-524) is amended as follows:

(A) Paragraph (1) of such subsection is amended to read as follows:

“(1) On and after the first day of the first pay period which begins on or after the effective date of the Policemen and Firemen’s Retirement and Disability Act Amendments of 1970 there shall be deducted and withheld from each member’s basic salary an amount equal to 7 per centum of such basic salary. Such deductions and withholdings shall be paid to the Collector of Taxes of the District of Columbia, and shall be deposited in the Treasury to the credit of the District of Columbia.”

(B) Paragraph (3) of such subsection is amended by inserting

Deductions.
71 Stat. 393;
72 Stat. 686.

immediately before the period at the end thereof a colon and the following: "Provided, That if no natural person is determined to be entitled thereto such payment shall escheat to the government of the District of Columbia."

(C) Such subsection is amended by adding at the end thereof the following new paragraph:

"(4) In order to facilitate the settlement of the accounts of each former member coming under the provisions of this section who dies after retirement (1) leaving no survivor entitled to receive an annuity under the provisions of this section and (2) before the aggregate amount of the annuity paid to such former member equals the total amount deducted and withheld for retirement from his salary as a member, the Commissioner shall pay the difference to the person or persons surviving at the time of death in the following order of precedence, and such payment shall be a bar to recovery by any other person of the amount so paid:

"First, to the beneficiary or beneficiaries designated in writing by such former member, filed with the Commissioner and received by him prior to the death of such former member;

"Second, if there be no such beneficiary, to the child or children of such deceased former member and the descendants of deceased children by representation;

"Third, if there be none of the above, to the parents of such former member, or the survivor of them; and

"Fourth, if there be none of the above, to the duly appointed legal representative of the estate of the deceased former member, or if there be none to the person or persons determined to be entitled thereto under the laws of the domicile of the deceased former member: *Provided*, That if no natural person is determined to be entitled thereto such payment shall escheat to the government of the District of Columbia."

(4) Subsection (g) of such section (D.C. Code, sec. 4-527) is amended by deleting "2 per centum" wherever it appears therein and inserting in lieu thereof "2½ per centum".

(5) Paragraph (1) of subsection (h) of such section (D.C. Code, sec. 4-528) is amended—

(A) by striking out "attains the age of fifty years and"; and

(B) by striking out "2 per centum" and inserting in lieu thereof "2½ per centum".

(6) Paragraph (3) of subsection (h) of such section is amended by striking out "70 per centum" and inserting in lieu thereof "80 per centum".

(7) Subsection (j) of such section (D.C. Code, sec. 4-530) is amended by deleting "fifty-five" wherever it appears therein and inserting in lieu thereof "fifty".

(8) Subsection (k) of such section (D.C. Code, sec. 4-531) is amended to read as follows:

"(k)(1) In the event that any member dies in the performance of duty, and such death is determined by the Commissioner to have been the sole and direct result of a personal injury sustained while performing such duty, leaving a survivor who received more than one-half his support from a member, such survivor shall be entitled to receive a lump sum payment of \$50,000: *Provided*, That if such death is caused by the willful misconduct of the member or by the member's intention to bring about the death of himself, or if intoxication of the injured member is the proximate cause of such death, no such lump sum payment shall be made: *And provided further*, That if such

Persons entitled to refunds for deductions, order.

71 Stat. 393;
72 Stat. 686.
D. C. Code 4-
524.

Disability retirement.
71 Stat. 394;
76 Stat. 1133.

Optional retirement.

Disability recovery.

Survivor annuities.

Amount.

member is survived by more than one person who received more than one-half of his support from the member, each such survivor shall be entitled to receive an equal share of such lump-sum payment.

“(2) In case of the death of any member before retirement, or of any former member after retirement, leaving a widow or widower, such widow or widower shall be entitled to receive an annuity in the greater amount of (1) 40 per centum of such member's basic salary at the time of death, or 40 per centum of the basis upon which the annuity, relief, or retirement compensation being received by such former member at the time of death was computed, or (2) 40 per centum of the corresponding salary for step 6, subclass (a), class 1 of the District of Columbia Police and Firemen's Salary Act salary schedule currently in effect at the time of such member or former member's death: *Provided*, That such annuity shall not exceed the current rate of compensation of the position occupied by such member at the time of death, or by such former member immediately prior to retirement.

“(3) Each surviving child or student-child of any member who dies before retirement, or of any former member who dies after retirement, shall be entitled to receive an annuity equal to the smallest of (1) 60 per centum of the member's basic salary at the time of his death or of the basis upon which the former member's annuity at the time of his death was computed, divided by the number of eligible children; (2) \$996; or (3) \$2,988 divided by the number of eligible children: *Provided*, That such member or former member is survived by a wife or husband. If such member or former member is not survived by a wife or husband, each surviving child or student-child shall be paid an annuity equal to the smallest of (1) 75 per centum of the member's basic salary at the time of his death or of the basis upon which the former member's annuity at the time of his death was computed, divided by the number of eligible children; (2) \$1,200; or (3) \$3,600 divided by the number of eligible children.

“(4) Each widow or widower who, on the effective date of the Policemen and Firemen's Retirement and Disability Act Amendments of 1970, was receiving relief or annuity computed in accordance with the provisions of this subsection shall be entitled to receive an annuity in the greater amount of (1) \$3,144; or (2) 35 per centum of the basis upon which such relief or annuity was computed. Each child who, on said effective date, was receiving relief or annuity computed in accordance with the provisions of this subsection, shall be entitled to benefits computed in accordance with the provisions of paragraph (3) of this subsection.

“(5) The annuity of any widow or widower under this subsection shall begin on the first day of the month in which the member or former member dies, and such annuity or any right thereto shall terminate upon the survivor's death or remarriage before age sixty: *Provided*, That any annuity terminated by remarriage may be restored if such remarriage is later terminated by death, annulment, or divorce. The annuity of any child under this subsection shall begin on the first day of the month in which the member or former member dies, and such annuity of such child or any right thereto shall terminate upon (A) his attaining age eighteen, unless incapable of self-support, (B) his becoming capable of self-support after age eighteen, (C) his marriage, or (D) his death. The annuity of any student-child under this subsection shall begin on the first day of the month in which the member or former member dies, and such annuity of such child or any right thereto shall terminate upon (i) his ceasing to be a student, (ii) his attaining age twenty-two, (iii) his marriage, or (iv)

his death. Such student-child whose birthday falls during the school year (September 1 to June 30) shall be considered not to have reached age twenty-two until July 1 following his actual twenty-second birthday.

“(6) Any member retiring under subsection (f), (g), or (h) of this section, may, at the time of such retirement, elect to receive a reduced annuity in lieu of full annuity, and designate in writing the person to receive an increased annuity after the retired annuitant's death: *Provided*, That the person so designated be the surviving spouse or child of the retiring member. Whenever such an election is made, the annuity of the designee shall be increased by an amount equal to the amount by which the annuity of such retiring member is reduced. The annuity payable to the member making such election shall be reduced by 10 per centum of the annuity computed as provided in subsection (f), (g), or (h). Such increase in annuity payable to the designee shall be reduced by 5 per centum for each full five years the designee is younger than the retiring member, but such total reduction shall not exceed 40 per centum. The increase in annuity payable to the designee pursuant to this paragraph shall be paid in addition to the annuity provided for such designee pursuant to paragraph (2) or (3) of this subsection and shall be subject to the same limitations as to duration and other conditions as the annuity paid pursuant to paragraphs (2), (3), and (5) of this subsection. If, at any time after such former member's retirement, the designee dies, and is survived by such former member, the annuity payable to such former member shall be increased to the amount computed as provided in subsection (f), (g), or (h).

“(7)(i) Each month after the effective date of this subsection the Commissioner shall determine the per centum change in the price index. On the basis of this determination, and effective the first day of the third month which begins after the price index shall have equaled the rise of at least 3 per centum for three consecutive months over the price index for the base month, each annuity payable under this subsection which has a commencing date not later than such effective date shall be increased by 1 per centum plus the per centum rise in the price index (calculated on the highest level of the price index during the three consecutive months) adjusted to the nearest one-tenth of 1 per centum.

“(ii) The monthly installment of annuity after adjustment under this subsection shall be fixed at the nearest dollar, except that such installment shall after adjustment reflect an increase of at least \$1.

“(iii) For purposes of this subsection, the term ‘price index’ shall mean the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics. The term ‘base month’ shall mean the month for which the price index showed a per centum rise, forming the basis for a cost-of-living annuity increase.”

SEC. 2. The provisions of this Act shall take effect on the first day of the first pay period which begins on or after the date of enactment.

SEC. 3. This Act may be cited as the “Policemen and Firemen's Retirement and Disability Act Amendments of 1970”.

Approved October 26, 1970.

Reduced annuity,
election.
71 Stat. 394;
Ante, p. 1137.
D.C. Code 4-526
to 4-528.

Annuity in-
crease.

“Price index.”

“Base month.”

Effective date.

Short title.