

Public Law 96-179  
96th Congress

An Act

To amend the provisions of chapters 83 and 89 of title 5, United States Code, which relate to survivor benefits for certain dependent children, and for other purposes.

Jan. 2, 1980

[H.R. 2584]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 8341(a) of title 5, United States Code, is amended—

Dependent  
children,  
survivor  
benefits.

(1) by striking out “and” at the end of paragraph (2),

(2) by inserting after paragraph (2) the following new paragraph:

“(3) ‘dependent’, in the case of any child, means that the employee or Member involved was, at the time of the employee or Member’s death, either living with or contributing to the support of such child, as determined in accordance with such regulations as the Office of Personnel Management shall prescribe; and”;

“Dependent.”

(3) by redesignating paragraph (3) as paragraph (4), and in paragraph (4) (as redesignated) by—

(A) inserting “dependent” after “unmarried” each place it appears in subparagraphs (A), (B), and (C);

(B) striking out “or recognized natural child who” in subparagraph (A)(ii) and inserting in lieu thereof “but only if the stepchild”; and

(C) by inserting “a recognized natural child, and (iv)” after “(iii)”.

SEC. 2. Section 8901 of title 5, United States Code, is amended—

(1) in paragraph (5), by—

(A) inserting “dependent” after “unmarried” each place it appears therein; and

(B) by inserting “or recognized natural child” after “child” in subparagraph (A); and

(C) by striking out “, foster child, or recognized natural child who” in subparagraph (B) and inserting in lieu thereof “or foster child but only if the child;”.

(2) by striking out “and” at the end of paragraph (7);

(3) by striking out the period at the end of paragraph (8) and inserting “; and” in lieu thereof; and

(4) by inserting after paragraph (8) the following new paragraph:

“(9) ‘dependent’, in the case of any child, means that the employee or annuitant involved is either living with or contributing to the support of such child, as determined in accordance with such regulations as the Office shall prescribe.”.

“Dependent.”

SEC. 3. Section 8902(m)(2)(A) of title 5, United States Code, is amended by striking out all after “contract” the third place it appears and inserting in lieu thereof the following: “in a State where 25 percent or more of the population is located in primary medical care manpower shortage areas designated pursuant to section 332 of the Public Health Service Act (42 U.S.C. 254e).”

SEC. 4. Section 8344(c) of title 5, United States Code, is amended by inserting “or is elected as a Member,” after “subchapter,”.

Effective dates.  
5 USC 8341 note.

**SEC. 5. (a) The amendments made by the first section and section 2 of this Act shall take effect on the date of the enactment of this Act, except that no benefits under chapter 89 of title 5, United States Code, made available by reason of such amendments shall be payable for any period before October 1, 1979.**

5 USC 8902 note.

**(b) The amendments made by section 3 shall apply to services provided after December 31, 1979, and before January 1, 1985, under any contract entered into or renewed after December 31, 1979.**

Approved January 2, 1980.

**LEGISLATIVE HISTORY:**

**HOUSE REPORT No. 96-499 (Comm. on Post Office and Civil Service).**

**SENATE REPORT No. 96-503 (Comm. on Governmental Affairs).**

**CONGRESSIONAL RECORD, Vol. 125 (1979):**

Oct. 22, considered and passed House.

Dec. 20, considered and passed Senate, amended; House agreed to Senate amendments.