

duction in force) under honorable conditions, but did not voluntarily separate from such service.

(b) An individual is not entitled to compensation under this subchapter for any period with respect to which the individual receives—

(1) a subsistence allowance under chapter 31 of title 38 or under part VIII of Veterans Regulation Numbered 1(a);

(2) except in the case of an individual described in subsection (a), an educational assistance allowance under chapter 33 of title 38; or

(3) an educational assistance allowance under chapter 35 of title 38.

(Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 591; Pub. L. 90–83, §1(90), Sept. 11, 1967, 81 Stat. 219; Pub. L. 114–92, div. A, title V, §560, Nov. 25, 2015, 129 Stat. 828.)

#### HISTORICAL AND REVISION NOTES 1966 ACT

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	42 U.S.C. 1371(g)–(i).	Aug. 28, 1958, Pub. L. 85–848, §3 “Sec. 1511 (g)–(i)”, 72 Stat. 1089. Sept. 2, 1958, Pub. L. 85–857, §13(i)(3), 72 Stat. 1265.

In subsection (b), the words “an education and training allowance under subsection (a), (b), (c), or (d) of section 1632 of title 38” are omitted as obsolete. The authority to pay an education and training allowance under section 1632 of title 38 terminated on January 31, 1965, pursuant to section 1613(a) of title 38.

Section 1371(i) of title 42, providing that certain individuals are not entitled to unemployment compensation under the provisions of subchapter I of chapter 41 of title 38, is omitted as obsolete. Subchapter I of chapter 41 of title 38, which related to unemployment compensation for Korean conflict veterans, was repealed by the Act of Sept. 19, 1962, Pub. L. 87–675, 76 Stat. 558.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

#### 1967 ACT

This section deletes subsection (a) of 5 U.S.C. 8525. That subsection is now obsolete in view of the repeal, effective July 1, 1966, of chapter 43 of title 38, U.S.C., by Public Law 89–50, section 1(a) (79 Stat. 173).

#### Editorial Notes

##### AMENDMENTS

2015—Subsec. (a). Pub. L. 114–92, §560(b), added subsec. (a).

Subsec. (b). Pub. L. 114–92, §560(a)(1), substituted “the individual receives” for “he receives” in introductory provisions.

Subsec. (b)(2), (3). Pub. L. 114–92, §560(a)(2)–(4), added par. (2) and redesignated former par. (2) as (3).

#### CHAPTER 87—LIFE INSURANCE

<i>Sec.</i>	
8701.	Definitions.
8702.	Automatic coverage.
8703.	Benefit certificate.
8704.	Group insurance; amounts.
8705.	Death claims; order of precedence; escheat.
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<i>Sec.</i>	
8708.	Government contributions.
8709.	Insurance policies.
8710.	Reinsurance.
8711.	Basic tables of premium rates.
8712.	Annual accounting; special contingency reserve.
8713.	Effect of other statutes.
8714.	Employees’ Life Insurance Fund.
8714a.	Optional insurance.
8714b.	Additional optional life insurance.
8714c.	Optional life insurance on family members.
8714d.	Option to receive “living benefits”.
8715.	Jurisdiction of courts.
8716.	Regulations.

#### Editorial Notes

##### AMENDMENTS

1994—Pub. L. 103–409, §2(b), Oct. 25, 1994, 108 Stat. 4232, added item 8714d.

1988—Pub. L. 100–238, title I, §108(a)(2)(B), Jan. 8, 1988, 101 Stat. 1747, added item 8713.

1984—Pub. L. 98–353, title II, §208(b), July 10, 1984, 98 Stat. 351, inserted “; assignment of ownership” in item 8706.

1980—Pub. L. 96–427, §§2(e), 7(b), 8(c), and 9(b), Oct. 10, 1980, 94 Stat. 1832, 1836, 1837, added items 8714b and 8714c, substituted “Definitions” for “Definition” in item 8701, and struck out item 8713 “Advisory committee”.

1967—Pub. L. 90–206, title IV, §404(2), Dec. 16, 1967, 81 Stat. 648, added item 8714a.

Pub. L. 90–83, §1(94), Sept. 11, 1967, 81 Stat. 219, substituted “Advisory committee” for “Advisors” in item 8713.

#### § 8701. Definitions

(a) For the purpose of this chapter, “employee” means—

(1) an employee as defined by section 2105 of this title;

(2) a Member of Congress as defined by section 2106 of this title;

(3) a Congressional employee as defined by section 2107 of this title;

(4) the President;

(5) a justice or judge of the United States appointed to hold office during good behavior (i) who is in regular active judicial service, or (ii) who is retired from regular active service under section 371(b) or 372(a) of title 28, United States Code, or (iii) who has resigned the judicial office under section 371(a) of title 28 with the continued right during the remainder of his lifetime to receive the salary of the office at the time of his resignation;

(6) an individual first employed by the government of the District of Columbia before October 1, 1987;

(7) an individual employed by Gallaudet College;<sup>1</sup>

(8) an individual employed by a county committee established under section 590h(b) of title 16;

(9) an individual appointed to a position on the office staff of a former President under section 1(b) of the Act of August 25, 1958 (72 Stat. 838); and

(10) an individual appointed to a position on the office staff of a former President, or a former Vice President under section 5 of the

<sup>1</sup> See Change of Name note below.