

**§ 8522. Assignment of Federal service and wages**

Notwithstanding section 8504 of this title, Federal service and Federal wages not previously assigned shall be assigned to the State in which the claimant first files claim for unemployment compensation after his latest discharge or release from Federal service. This assignment is deemed an assignment under section 8504 of this title for the purpose of this subchapter.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 591; Pub. L. 94-566, title I, §116(e)(5), Oct. 20, 1976, 90 Stat. 2673.)

## HISTORICAL AND REVISION NOTES

| <i>Derivation</i> | <i>U.S. Code</i>   | <i>Revised Statutes and Statutes at Large</i>   |
|-------------------|--------------------|---|
| .....             | 42 U.S.C. 1371(e). | Aug. 28, 1958, Pub. L. 85-848, §3 "Sec. 1511(e)", 72 Stat. 1088.<br>Sept. 13, 1960, Pub. L. 86-778, §542(c)(2), 74 Stat. 986. |

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

**Editorial Notes**

## AMENDMENTS

1976—Pub. L. 94-566 struck out "or to the Virgin Islands, as the case may be," after "shall be assigned to the State".

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-566 applicable with respect to benefit years beginning on or after later of Oct. 1, 1976, or first day of first week for which compensation becomes payable under an unemployment compensation law of Virgin Islands which is approved by Secretary of Labor under section 3304(a) of Title 26, Internal Revenue Code, see section 116(f)(3) of Pub. L. 94-566, set out as a note under section 3304 of Title 26.

**§ 8523. Dissemination of information**

(a) When designated by the Secretary of Labor, an agency of the United States shall make available to the appropriate State agency or to the Secretary, as the case may be, such information, including findings in the form and manner prescribed by regulations of the Secretary, as the Secretary considers practicable and necessary for the determination of the entitlement of an individual to compensation under this subchapter.

(b) Subject to correction of errors and omissions as prescribed by regulations of the Secretary, the following are final and conclusive for the purpose of sections 8502(d) and 8503(c) of this title:

(1) Findings by an agency of the United States made in accordance with subsection (a) of this section with respect to—

(A) whether or not an individual has met any condition specified by section 8521(a)(1) of this title;

(B) the periods of Federal service; and

(C) the pay grade of the individual at the time of his latest discharge or release from Federal service.

(2) The schedules of pay and allowances prescribed by the Secretary under section 8521(a)(2) of this title.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 591.)

## HISTORICAL AND REVISION NOTES

| <i>Derivation</i> | <i>U.S. Code</i>   | <i>Revised Statutes and Statutes at Large</i>                    |
|-------------------|--------------------|--|
| .....             | 42 U.S.C. 1371(d). | Aug. 28, 1958, Pub. L. 85-848, §3 "Sec. 1511(d)", 72 Stat. 1088. |

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

**[§ 8524. Repealed. Pub. L. 91-373, title I, § 107, Aug. 10, 1970, 84 Stat. 701]**

Section, Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 591, provided that a payment to ex-servicemen for unused accrued leave was to be deemed to continue Federal service during period after termination with respect to which the serviceman received payment and that such payment was to be deemed Federal wages subject to regulations concerning allocation over the period after termination.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF REPEAL

Pub. L. 91-373, title I, §107, Aug. 10, 1970, 84 Stat. 701, provided that the repeal is effective with respect to benefit years which begin more than 30 days after the date of enactment of Pub. L. 91-373, which was approved on Aug. 10, 1970.

**§ 8525. Effect on other statutes**

(a) Subsection (b)(2) does not apply to an individual who—

(1) is otherwise entitled to compensation under this subchapter;

(2) is described in section 3311(b) of title 38;

(3) is not receiving retired pay under title 10; and

(4) was discharged or released from service in the Armed Forces or the Commissioned Corps of the National Oceanic and Atmospheric Administration (including through a reduction 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.<br>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**

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**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 Presidential Transition Act of 1963, as amended (78 Stat. 153), who immediately before the date of such appointment was an employee as defined under any other paragraph of this subsection;

but does not include—

(A) an employee of a corporation supervised by the Farm Credit Administration if private interests elect or appoint a member of the board of directors;

(B) an individual who is not a citizen or national of the United States and whose permanent duty station is outside the United States, unless the individual was an employee for the purpose of this chapter on September 30, 1979, by reason of service in an Executive agency, the United States Postal Service, or the Smithsonian Institution in the area which was then known as the Canal Zone; or

(C) an employee excluded by regulation of the Office of Personnel Management under section 8716(b) of this title.

(b) Notwithstanding subsection (a) of this section, the employment of a teacher in the recess

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