

- Sec.  
 8440b. Bankruptcy judges and magistrate judges.  
 8440c. Court of Federal Claims judges.  
 8440d. Judges of the United States Court of Appeals for Veterans Claims.  
 8440e. Members of the uniformed services.  
 8440f. Maximum percentage allowable for certain participants.

## SUBCHAPTER IV—SURVIVOR ANNUITIES

8441. Definitions.  
 8442. Rights of a widow or widower.  
 8443. Rights of a child.  
 8444. Rights of a named individual with an insurable interest.  
 8445. Rights of a former spouse.

## SUBCHAPTER V—DISABILITY BENEFITS

8451. Disability retirement.  
 8452. Computation of disability annuity.  
 8453. Application.  
 8454. Medical examination.  
 8455. Recovery; restoration of earning capacity.  
 8456. Military reserve technicians.

## SUBCHAPTER VI—GENERAL AND ADMINISTRATIVE PROVISIONS

8461. Authority of the Office of Personnel Management.  
 8462. Cost-of-living adjustments.  
 8463. Rate of benefits.  
 8464. Commencement and termination of annuities of employees and Members.  
 8464a. Relationship between annuity and workers' compensation.  
 8465. Waiver, allotment, and assignment of benefits.  
 8466. Application for benefits.  
 8467. Court orders.  
 8468. Annuities and pay on reemployment.  
 8469. Withholding of State income taxes.  
 8470. Exemption from legal process; recovery of payments.

## SUBCHAPTER VII—FEDERAL RETIREMENT THRIFT INVESTMENT MANAGEMENT SYSTEM

8471. Definitions.  
 8472. Federal Retirement Thrift Investment Board.  
 8473. Employee Thrift Advisory Council.  
 8474. Executive Director.  
 8475. Investment policies.  
 8476. Administrative provisions.  
 8477. Fiduciary responsibilities; liability and penalties.  
 8478. Bonding.  
 8478a. Investigative authority.  
 8479. Exculpatory provisions; insurance.  
 8480. Subpoena authority.

## AMENDMENTS

2009—Pub. L. 111-84, div. A, title XIX, §1904(b)(3)(B), Oct. 28, 2009, 123 Stat. 2617, added item 8422 and struck out former item 8422 “Deductions from pay; contributions for other service”.

Pub. L. 111-31, div. B, title I, §§103(b), 107(b), June 22, 2009, 123 Stat. 1854, 1856, added items 8432d and 8480.

2001—Pub. L. 107-107, div. A, title XI, §1132(b)(2)(C), Dec. 28, 2001, 115 Stat. 1244, substituted “other service” for “military service” in item 8422.

2000—Pub. L. 106-554, §1(a)(4) [div. B, title I, §138(a)(7)(B)], Dec. 21, 2000, 114 Stat. 2763, 2763A-234, added item 8440f.

1999—Pub. L. 106-168, title II, §203(a)(2), Dec. 12, 1999, 113 Stat. 1820, added item 8431.

Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title III, §334(b)], Nov. 29, 1999, 113 Stat. 1536, 1501A-441, added item 8432c.

Pub. L. 106-65, div. A, title VI, §§661(a)(2)(B), 663, Oct. 5, 1999, 113 Stat. 671, 673, as amended by Pub. L. 106-398, §1 [div. A], title VI, §661(a), Oct. 30, 2000, 114 Stat.

1654, 1654A-167, added item 8440e, effective 180 days after Oct. 30, 2000, unless postponed.

1998—Pub. L. 105-368, title V, §512(b)(2)(B), Nov. 11, 1998, 112 Stat. 3342, substituted “Judges of the United States Court of Appeals for Veterans Claims” for “Judges of the United States Court of Veterans Appeals” in item 8440d.

1996—Pub. L. 104-208, div. A, title I, §101(f) [title VI, §659 [title II, §206(b)(1)]], Sept. 30, 1996, 110 Stat. 3009-314, 3009-372, 3009-378, struck out item 8431 “Definition”.

1994—Pub. L. 103-353, §4(a)(2), Oct. 13, 1994, 108 Stat. 3172, added item 8432b.

1992—Pub. L. 102-572, title IX, §902(b)(2), Oct. 29, 1992, 106 Stat. 4516, substituted “Court of Federal Claims” for “Claims Court” in item 8440c.

Pub. L. 102-378, §5(d)(2), Oct. 2, 1992, 106 Stat. 1358, amended directory language of Pub. L. 101-198, §7(c)(4)(B). See 1991 Amendment note below.

1991—Pub. L. 102-198, §7(c)(2), Dec. 9, 1991, 105 Stat. 1625, redesignated item 8440b “Claims Court judges” as item 8440c.

Pub. L. 102-198, §7(c)(4)(B), Dec. 9, 1991, 105 Stat. 1625, as amended by Pub. L. 102-378, §5(d)(2), Oct. 2, 1992, 106 Stat. 1358, redesignated item 8440c “Judges of the United States Court of Veterans Appeals” as item 8440d.

Pub. L. 102-82, §5(a)(2), Aug. 6, 1991, 105 Stat. 376, added item 8440c “Judges of the United States Court of Veterans Appeals”.

1990—Pub. L. 101-650, title III, §306(d)(2), Dec. 1, 1990, 104 Stat. 5111, which directed the amendment of the table of sections for this chapter by adding at the end thereof item 8440b “Claims Court judges”, was executed by adding that item after the first item 8440b.

Pub. L. 101-335, §§2(a)(2), 9(b), July 17, 1990, 104 Stat. 320, 326, added item 8432a and redesignated item 8440a “Bankruptcy judges and magistrates” as item 8440b.

1988—Pub. L. 100-659, §7(b), Nov. 15, 1988, 102 Stat. 3920, added item 8440a “Bankruptcy judges and magistrates”.

Pub. L. 100-654, title IV, §401(b), Nov. 14, 1988, 102 Stat. 3847, added item 8440a “Justices and judges”.

Pub. L. 100-238, title I, §124(a)(2), (b)(2), Jan. 8, 1988, 101 Stat. 1756, added item 8464a, redesignated item 8457 as 8456, and struck out former item 8456 “Relationship to workers' compensation”.

1986—Pub. L. 99-556, title I, §110(b), Oct. 27, 1986, 100 Stat. 3132, added item 8478a.

## CHANGE OF NAME

Words “magistrate judges” substituted for “magistrates” in item 8440b pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure.

## SUBCHAPTER I—GENERAL PROVISIONS

## § 8401. Definitions

For the purpose of this chapter—

(1) the term “account” means an account established and maintained under section 8439(a) of this title;

(2) the term “annuitant” means a former employee or Member who, on the basis of that individual’s service, meets all requirements for title to an annuity under subchapter II or V of this chapter and files claim therefor;

(3) the term “average pay” means the largest annual rate resulting from averaging an employee’s or Member’s rates of basic pay in effect over any 3 consecutive years of service or, in the case of an annuity under this chapter based on service of less than 3 years, over the total service, with each rate weighted by the period it was in effect;

(4) the term “basic pay” has the meaning given such term by section 8331(3);