

tions Authorization Act, Fiscal Years 1998 and 1999 [probably means “1988 and 1989”] (22 U.S.C. 2656f(d)).”

§ 3974. Border equalization pay adjustment

(a) In general

An employee who regularly commutes from the employee’s place of residence in the continental United States to an official duty station in Canada or Mexico shall receive a border equalization pay adjustment equal to the amount of comparability payments under section 5304 of title 5 that the employee would receive if the employee were assigned to an official duty station within the United States local-ity pay area closest to the employee’s official duty station.

(b) Employee defined

For purposes of this section, the term “employee” means a person who—

(1) is an “employee” as defined under section 2105 of title 5; and

(2) is employed by the Department of State, the United States Agency for International Development, or the International Joint Commission of the United States and Canada (established under Article VII of the treaty signed January 11, 1909) (36 Stat. 2448), except that the term shall not include members of the Service (as specified in section 3903 of this title).

(c) Treatment as basic pay

An equalization pay adjustment paid under this section shall be considered to be part of basic pay for the same purposes for which comparability payments are considered to be part of basic pay under section 5304 of title 5.

(d) Regulations

The heads of the agencies referred to in subsection (b)(2) may prescribe regulations to carry out this section.

(Pub. L. 96-465, title I, §414, as added Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title III, §333(a)], Nov. 29, 1999, 113 Stat. 1536, 1501A-439.)

§ 3975. Group life insurance supplement applicable to those killed in terrorist attacks

(a) Foreign Service employees

(1) In general

Notwithstanding the amounts specified in chapter 87 of title 5, a Foreign Service employee who dies as a result of injuries sustained while on duty abroad because of an act of terrorism, as defined in section 2656f(d) of this title, shall be eligible for a special payment of \$400,000, which shall be in addition to any employer provided life insurance policy coverage. In the case of an employee compensated under a local compensation plan established under section 3968 of this title, the amount of such payment shall be determined by regulations implemented by the Secretary of State and shall be no greater than \$400,000.

(2) Designation of beneficiary

A payment made under paragraph (1) shall be made in accordance with the guidance issued under section 3973(c) of this title.

(b) Other executive agencies

The head of an executive agency shall provide the additional payment authorized by this section, consistent with the provisions set forth in subsection (a), with respect to any employee of that agency or of an individual in a special category serving in an uncompensated capacity for that agency who dies as a result of injuries sustained while on duty abroad because of an act of terrorism, as defined in section 2656f(d) of this title, while subject to the authority of the chief of mission pursuant to section 3927 of this title.

(Pub. L. 96-465, title I, §415, as added Pub. L. 113-76, div. K, title VII, §7082(b)(1), Jan. 17, 2014, 128 Stat. 565; amended Pub. L. 114-113, div. K, title VII, §7034(d)(5)(A), Dec. 18, 2015, 129 Stat. 2763.)

REFERENCES IN TEXT

Section 2656f(d) of this title, referred to in subsecs. (a)(1) and (b), was in the original “section 140(d) of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999”, and was translated as meaning “section 140(d) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989”, to reflect the probable intent of Congress.

AMENDMENTS

2015—Subsec. (a)(1). Pub. L. 114-113 substituted “a special payment of \$400,000, which shall be in addition to any employer provided life insurance policy coverage” for “a payment from the United States in an amount that, when added to the amount of the employee’s employer-provided group life insurance policy coverage (if any), equals \$400,000”.

EFFECTIVE DATE

Section applicable in the case of a Foreign Service or executive branch employee subject to the authority of the chief of mission pursuant to section 3927 of this title, serving at a United States diplomatic or consular mission abroad, who died on or after April 18, 1983, as a result of injuries from an act of terrorism, as defined in section 2656f(d) of this title, see section 7082(c) of Pub. L. 113-76, set out as an Effective Date of 2014 Amendment note under section 3973 of this title.

APPLICABILITY

Pub. L. 114-113, div. K, title VII, §7034(d)(5)(B), Dec. 18, 2015, 129 Stat. 2763, provided that: “The insurance benefit under section 415 of the Foreign Service Act of 1980 (22 U.S.C. 3975), as amended by subparagraph (A), shall be applicable to eligible employees who die as a result of injuries sustained while on duty abroad because of an act of terrorism, as defined in section 140(d) of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999 (22 U.S.C. 2656f(d)), anytime on or after April 18, 1983.”

§ 3976. Survivors’ and dependents’ educational assistance

(a) Foreign Service employees

The Secretary shall, pursuant to guidance issued under section 3973(c) of this title, provide educational assistance to a beneficiary of any United States national Foreign Service employee who dies while on duty abroad as a result of an act of terrorism, as defined in section 2656f(d) of this title, to meet, in whole or in part, the expenses incurred by the beneficiary in pursuing a program of education at an educational institution, including subsistence, tuition, fees, supplies, books, equipment, and other educational costs.