

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-283, § 312(e)(4)(C)(i), substituted “; (7) or (9)” for “or (7)” in introductory provisions. See Application of Provisions Amended by Pub. L. 103-283 note below.

Subsec. (b). Pub. L. 103-283, § 312(e)(4)(C)(ii), substituted “applicant for employment, or employee of the Architect of the Capitol, the Botanic Garden, or the Senate Restaurants” for “or applicant for employment”, and inserted “or under section 312(e)(2) of the Architect of the Capitol Human Resources Act” after “of this title”. See Application of Provisions Amended by Pub. L. 103-283 note below.

1988—Subsec. (a). Pub. L. 100-426, § 103(a), (b)(1), designated existing provisions as subsec. (a) and substituted “Federal Circuit” for “District of Columbia Circuit or by the court of appeals of the United States for the circuit in which the petitioner resides”.

Subsec. (b). Pub. L. 100-426, § 103(b)(2), added subsec. (b).

1984—Pub. L. 98-216 substituted “A final decision under section 753(a)(1)–(3), (6), or (7) of this title may be reviewed by the United States Court of Appeals for the District of Columbia Circuit or by the court of appeals of the United States for the circuit in which the petitioner resides” for “A person may apply for review of a final decision under section 753(a)(1)–(3), (6), or (7) of this title by filing a petition for review with the United States Court of Appeals for the District of Columbia Circuit or with the court of appeals of the United States for the circuit in which the person resides” in provisions preceding par. (1).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1988 AMENDMENT

Pub. L. 100-426, title I, § 103(c), Sept. 9, 1988, 102 Stat. 1599, provided that: “Nothing in any of the amendments made by this section [amending this section] shall apply with respect to an appeal pending on the date of the enactment of this Act [Sept. 9, 1988].”

APPLICATION OF PROVISIONS AMENDED BY
PUB. L. 103-283

Provisions of this section amended by section 312(e) of Pub. L. 103-283 to be applied and administered as if section 312(e) and the amendments made by section 312(e) had not been enacted, see section 504(c)(2) of Pub. L. 104-1, set out as a note under section 751 of this title.

SUBCHAPTER V—ANNUITIES

§ 771. Definitions

In this subchapter—

(1) “dependent child” means an unmarried dependent child (including a stepchild or adopted child) who is—

- (A) under 18 years of age;
- (B) incapable of self-support because of physical or mental disability; or

(C) between 18 and 22 years of age and is a student regularly pursuing a full-time course of study or training in residence in a high school, trade school, technical or vocational institute, junior college, college, university, or comparable recognized educational institution. For the purposes of this subchapter, a child whose 22nd birthday occurs before July 1 or after August 31 of a calendar year, and while such child is regularly pursuing such a course of study or training, is deemed to have become 22 years of age on the first day of July after that birthday. A child who is a student is deemed not to have ceased to be a student during an interim pe-

riod between school years if the interim period is not more than 5 months and if such child shows to the satisfaction of the General Counsel of the Government Accountability Office that such child has a bona fide intention of continuing in the same or a different school during the school semester (or other period into which the school year is divided) immediately after the interim period.

(2) “surviving spouse” means a surviving spouse of an individual who was a Comptroller General or retired Comptroller General and the spouse—

(A) was married to the individual for at least 1 year immediately before the individual died; or

(B) has not remarried before age 55 and is the parent of issue by the marriage.

(3) service as a Comptroller General equals the number of years and complete months an individual is Comptroller General.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 902; Pub. L. 100-426, title II, § 202, Sept. 9, 1988, 102 Stat. 1600; Pub. L. 108-271, § 8(b), July 7, 2004, 118 Stat. 814.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
771(1), (2)	31:43b(g).	June 10, 1921, ch. 18, 42 Stat. 20, § 319(g), (p); added July 13, 1959, Pub. L. 86-87, 73 Stat. 196, 200.
771(3)	31:43b(p).	

In this subchapter, the words “surviving spouse”, “spouse”, “surviving spouse’s”, and “parent” are substituted for “widow”, “wife”, “surviving widow’s”, and “mother”, respectively, because of 5:7202(c).

In clause (3), the words “or retired Comptroller General” are omitted as executed because a retired Comptroller General could elect survivor benefits and include retirement service only if the Comptroller General had retired by July 13, 1959. The word “total” is omitted as surplus. The words “complete months” are substituted for “twelfth parts thereof, excluding from the aggregate the fractional part of a month, if any” to eliminate unnecessary words. The words “an individual is Comptroller General” are added for clarity.

Editorial Notes

AMENDMENTS

2004—Par. (1)(C). Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office”.

1988—Par. (1)(C). Pub. L. 100-426, § 202(a), added subpar. (C).

Par. (2)(A). Pub. L. 100-426, § 202(b)(1), substituted “1 year” for “2 years”.

Par. (2)(B). Pub. L. 100-426, § 202(b)(2), inserted “before age 55” after “remarried”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-426 effective after end of 60-day period beginning Sept. 9, 1988, with certain exceptions, see section 208 of Pub. L. 100-426, set out as a note under section 772 of this title.

§ 772. Annuity of the Comptroller General

(a) Except as provided in subsection (c) of this section, a Comptroller General serving a com-