

TITLE 5 - GOVERNMENT ORGANIZATION AND EMPLOYEES

PART III - EMPLOYEES

Subpart D - Pay and Allowances

CHAPTER 55 - PAY ADMINISTRATION

SUBCHAPTER VII - PAYMENTS TO MISSING EMPLOYEES

§ 5570. Compensation for disability or death

- (a) For the purpose of this section—
- (1) “employee” means—
 - (A) any individual in the Civil Service; and
 - (B) any individual rendering personal service to the United States similar to the service of an individual in the Civil Service (other than as a member of the uniformed services); and
 - (2) “family member”, as used with respect to an employee, means—
 - (A) any dependent of such employee; and
 - (B) any individual (other than a dependent under subparagraph (A)) who is a member of the employee’s family or household.
- (b) The President shall prescribe regulations under which an agency head may pay compensation for the disability or death of an employee or a family member of an employee if, as determined by the President, the disability or death was caused by hostile action and was a result of the individual’s relationship with the Government.
- (c) Any compensation otherwise payable to an individual under this section in connection with any disability or death shall be reduced by any amounts payable to such individual under any other program funded in whole or in part by the United States (excluding any amount payable under section 5569 (d) of this title) in connection with such disability or death, except that nothing in this subsection shall result in the reduction of any amount below zero.
- (d) A determination by the President under subsection (b) shall be conclusive and shall not be subject to judicial review.
- (e) Compensation under this section may include payment (whether by advancement or reimbursement) for any medical or health expenses relating to the death or disability involved to the extent that such expenses are not covered under subsection (c) of section 5569 of this title (other than because of paragraph (2) of such subsection).
- (f) This section applies with respect to any disability or death resulting from an injury which occurs after January 21, 1981.
- (g) Any benefit or payment pursuant to this section shall be paid out of funds available for salaries and expenses of the relevant agency of the United States.

(Added Pub. L. 99–399, title VIII, § 803(a), Aug. 27, 1986, 100 Stat. 882.)

Delegation of Functions

Functions of the President under this section delegated to the Secretary of State to be exercised in consultation with the Secretary of Labor, see Ex. Ord. No. 12598, June 17, 1987, 52 F.R. 23421, set out as a note under section 5569 of this title.