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OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 870

RIN 3206-A149

Federal Employees' Group Life Insurance Program: Court Orders

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The Office of Personnel Management (OPM) is making final its interim regulations implementing legislation which was enacted July 22, 1998. The legislation requires that certain court orders be followed instead of the otherwise existing statutory order of precedence for payment of benefits under the Federal Employees' Group Life Insurance Program.

DATES: Effective October 8, 1999.

FOR FURTHER INFORMATION CONTACT: Karen Leibach, (202) 606-0004.

SUPPLEMENTARY INFORMATION: The Federal Employees' Group Life Insurance (FEGLI) law sets an order of precedence for payment of benefits following the death of an insured employee, annuitant, or compensationner (5 U.S.C. 8705). First in the order of precedence is a designated beneficiary. Public Law 105-205, 112 Stat. 683, enacted July 22, 1998, requires benefits to be paid in accordance with the terms of a court decree of divorce, annulment, or legal separation, or the terms of any court order or court-approved property settlement agreement relating to a court decree of divorce, annulment, or legal separation, regardless of whether or not the insured individual actually completes a designation complying with the court order, if the court order is received in the appropriate office before the death of the insured individual. To the extent provided in the court order, the court order supersedes any prior

designation by the insured individual. On April 6, 1999, OPM issued interim regulations in the **Federal Register** [64 FR 16601] implementing this legislation.

OPM received no comments on the court order regulations.

OPM received one comment from an agency on a correction we published at the same time as the court order regulations. The correction dealt with the situation in which an individual returns to Federal service following a break in service of at least 180 days. The regulation requires that, if he/she doesn't make a new life insurance election, the employee will get back the same FEGLI coverage he/she had before the break in service. The commentor was concerned about the length of time it often takes for an agency to receive the previous employment records for an individual with prior Federal service. If the employee doesn't remember what coverage he/she had before, the agency would not know what coverage to give the individual until the records arrive. We understand that in this situation the agency may have to make retroactive adjustments in coverage and premiums. However, we believe that most individuals returning to Federal service after a 180-day break will make a new life insurance election, and that election will supersede the prior coverage. It is only in instances in which the employee does not submit an election that an agency would need to reinstate prior coverage. We believe that these returning employees should be treated the same as returning employees with a less than 180-day break in service.

Regulatory Flexibility Act

I certify that this regulation will not have a significant economic impact on a substantial number of small entities because the regulation will only affect life insurance benefits of Federal employees and retirees.

Executive Order 12866, Regulatory Review

This rule has been reviewed by the Office of Management and Budget in accordance with Executive Order 12866.

List of Subjects in 5 CFR Part 870

Administrative practice and procedure, Government employees, Hostages, Iraq, Kuwait, Lebanon, Life insurance, Retirement.

Office of Personnel Management.

Janice R. Lachance,

Director.

Accordingly, under the authority of 5 U.S.C. 8716, OPM is adopting its interim regulation under 5 CFR part 870 as published on April 6, 1999 [64 FR 16601], as a final rule without change.

[FR Doc. 99-26318 Filed 10-7-99; 8:45 am]

BILLING CODE 6325-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. NM164, Special Conditions No. 25-150-SC]

Special Conditions: Boeing 747-100, -100B, -100B SUD, -200B, -200C, -200F, and -300 Series Airplanes; High Intensity Radiated Fields (HIRF)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued for Boeing Model 747-100, -100B, -100B SUD, -200B, -200C, -200F, and -300 series airplanes modified by Canard Aerospace Corporation. These airplanes will have novel and unusual design features when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that provided by the existing airworthiness standards.

DATES: The effective date of these special conditions is September 30, 1999. Comments must be received on or before November 22, 1999.

ADDRESSES: Comments on these special conditions may be mailed in duplicate to: Federal Aviation Administration, Transport Airplane Directorate, Attn: Rules Docket (ANM-114), Docket No. NM164, 1601 Lind Avenue SW., Renton, Washington, 98055-4056; or delivered in duplicate to the Transport Airplane Directorate at the above address. Comments must be marked: Docket No. NM164. Comments may be inspected in the Rules Docket