

105TH CONGRESS  
1ST SESSION

# H. R. 1316

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## AN ACT

To amend chapter 87 of title 5, United States Code, with respect to the order of precedence to be applied in the payment of life insurance benefits.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. DOMESTIC RELATIONS ORDERS.**

2 Section 8705 of title 5, United States Code, is  
3 amended—

4 (1) in subsection (a) by striking “(a) The” and  
5 inserting “(a) Except as provided in subsection (e),  
6 the”; and

7 (2) by adding at the end the following:

8 “(e)(1) Any amount which would otherwise be paid  
9 to a person determined under the order of precedence  
10 named by subsection (a) shall be paid (in whole or in part)  
11 by the Office to another person if and to the extent ex-  
12 pressly provided for in the terms of any court decree of  
13 divorce, annulment, or legal separation, or the terms of  
14 any court order or court-approved property settlement  
15 agreement incident to any court decree of divorce, annul-  
16 ment, or legal separation.

17 “(2) For purposes of this subsection, a decree, order,  
18 or agreement referred to in paragraph (1) shall not be  
19 effective unless it is received, before the date of the cov-  
20 ered employee’s death, by the employing agency or, if the  
21 employee has separated from service, by the Office.

22 “(3) A designation under this subsection with respect  
23 to any person may not be changed except—

24 “(A) with the written consent of such person, if  
25 received as described in paragraph (2); or

1           “(B) by modification of the decree, order, or  
2           agreement, as the case may be, if received as de-  
3           scribed in paragraph (2).

4           “(4) The Office shall prescribe any regulations nec-  
5           essary to carry out this subsection, including regulations  
6           for the application of this subsection in the event that 2  
7           or more decrees, orders, or agreements, are received with  
8           respect to the same amount.”.

9           **SEC. 2. DIRECTED ASSIGNMENT.**

10          Section 8706(e) of title 5, United States Code, is  
11          amended—

12                 (1) by striking “(e)” and inserting “(e)(1)”;

13          and

14                 (2) by adding at the end the following:

15                 “(2) A court decree of divorce, annulment, or legal  
16                 separation, or the terms of a court-approved property set-  
17                 tlement agreement incident to any court decree of divorce,  
18                 annulment, or legal separation, may direct that an insured  
19                 employee or former employee make an irrevocable assign-  
20                 ment of the employee’s or former employee’s incidents of  
21                 ownership in insurance under this chapter (if there is no

- 1 previous assignment) to the person specified in the court
- 2 order or court-approved property settlement agreement.”.

Passed the House of Representatives June 24, 1997.

Attest:

*Clerk.*