

105TH CONGRESS
1ST SESSION

H. R. 1316

IN THE SENATE OF THE UNITED STATES

JUNE 25, 1997

Received; read twice and referred to the Committee on Governmental Affairs

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,*

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

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

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

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

10 “(e)(1) Any amount which would otherwise be paid
11 to a person determined under the order of precedence
12 named by subsection (a) shall be paid (in whole or in part)

1 by the Office to another person if and to the extent ex-
2 pressly provided for in the terms of any court decree of
3 divorce, annulment, or legal separation, or the terms of
4 any court order or court-approved property settlement
5 agreement incident to any court decree of divorce, annul-
6 ment, or legal separation.

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

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

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

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

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

1 **SEC. 2. DIRECTED ASSIGNMENT.**

2 Section 8706(e) of title 5, United States Code, is
3 amended—

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

5 and

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

7 “(2) A court decree of divorce, annulment, or legal
8 separation, or the terms of a court-approved property set-
9 tlement agreement incident to any court decree of divorce,
10 annulment, or legal separation, may direct that an insured
11 employee or former employee make an irrevocable assign-
12 ment of the employee’s or former employee’s incidents of
13 ownership in insurance under this chapter (if there is no
14 previous assignment) to the person specified in the court
15 order or court-approved property settlement agreement.”.

Passed the House of Representatives June 24, 1997.

Attest:

ROBIN H. CARLE,

Clerk.