

SHORT TITLE OF 1994 AMENDMENT

Pub. L. 103-409, §1, Oct. 25, 1994, 108 Stat. 4230, provided that: "This Act [enacting section 8714d of this title and provisions set out as notes under this section and sections 8704, 8714, and 8901 of this title] may be cited as the 'FEGLI Living Benefits Act.'"

SHORT TITLE OF 1980 AMENDMENT

Pub. L. 96-427, §1, Oct. 10, 1980, 94 Stat. 1831, provided that: "This Act [enacting sections 8714b and 8714c of this title, amending this section and sections 8704, 8706, 8707, 8709, and 8714a of this title, repealing section 8713 of this title and enacting provisions set out as notes under this section and sections 8704 and 8714a of this title] may be cited as the 'Federal Employees' Group Life Insurance Act of 1980'."

CONSTRUCTION

Pub. L. 111-8, div. D, title III, §307(b), Mar. 11, 2009, 123 Stat. 648, provided that: "For purposes of construing and applying chapter 87 of title 5, United States Code, including any adjustment of insurance rates by regulation or otherwise, the following categories of judicial officers shall be deemed to be judges of the United States as described under section 8701 of title 5, United States Code:

- "(1) United States magistrate judges.
- "(2) Bankruptcy judges appointed under chapter 6 of title 28, United States Code.
- "(3) Judges of the District Court of Guam, judges of the District Court for the Northern Mariana Islands, and judges of the District Court of the Virgin Islands.
- "(4) Bankruptcy judges and magistrate judges retired under section 377 of title 28, United States Code.
- "(5) Judges retired under section 373 of title 28, United States Code."

[Section 307(b) of Pub. L. 111-8, set out above, applicable with respect to any payment made on or after the first day of the first applicable pay period beginning on or after Jan. 7, 2008, see section 307(c) of Pub. L. 111-8, set out as an Effective Date of 2009 Amendment note under section 604 of Title 28, Judiciary and Judicial Procedure.]

Similar provisions were contained in the following prior act:

Pub. L. 110-177, title V, §502(b), Jan. 7, 2008, 121 Stat. 2542.

OPEN SEASON

Pub. L. 105-311, §9, Oct. 30, 1998, 112 Stat. 2954, provided that: "Beginning not later than 180 days after the date of enactment of this Act [Oct. 30, 1998], the Office of Personnel Management shall conduct an open enrollment opportunity for purposes of chapter 87 of title 5, United States Code, over a period of not less than 8 weeks. During this period, an employee (as defined under section 8701(a) of such title)—

- "(1) may, if the employee previously declined or voluntarily terminated any coverage under chapter 87 of such title, elect to begin, resume, or increase group life insurance (and acquire applicable accidental death and dismemberment insurance) under all sections of such chapter without submitting evidence of insurability; and
- "(2) may, if currently insured for optional life insurance on family members, elect an amount above the minimum insurance on a spouse."

Pub. L. 103-409, §3(b), Oct. 25, 1994, 108 Stat. 4232, provided that:

"(1) The Office of Personnel Management shall prescribe regulations under which, beginning not later than 9 months after the date of the enactment of this Act [Oct. 25, 1994], and over a period of not less than 8 weeks—

- "(A) an employee (as defined by section 8701(a) of title 5, United States Code) who declined or voluntarily terminated coverage under chapter 87 of such title—
- "(i) may elect to begin, or to resume, group life insurance and group accidental death and dismemberment insurance; and

- "(ii) may make such other elections under such chapter as the Office may allow; and
- "(B) such other elections as the Office allows may be made.
- "(2) The Office shall take such action as may be necessary to ensure that employees and any other individuals who would be eligible to make an election under this subsection are afforded advance notification to that effect."

CONTINUED COVERAGE UNDER CERTAIN FEDERAL EMPLOYEE BENEFIT PROGRAMS FOR CERTAIN EMPLOYEES OF SAINT ELIZABETHS HOSPITAL

For provisions relating to treatment of certain Federal employees of Saint Elizabeths Hospital under certain Federal employee benefit programs, see section 207(o) of Pub. L. 99-335, set out as a note under section 8331 of this title.

§ 8702. Automatic coverage

- (a) An employee is automatically insured on the date he becomes eligible for insurance and each policy of insurance purchased by the Office of Personnel Management under this chapter shall provide for that automatic coverage.
- (b) An employee desiring not to be insured shall give written notice to his employing office on a form prescribed by the Office. If the notice is received before he has become insured, he shall not be insured. If the notice is received after he has become insured, his insurance stops at the end of the pay period in which the notice is received.
- (c) Notwithstanding a notice previously given under subsection (b), an employee who is deployed in support of a contingency operation (as that term is defined in section 101(a)(13) of title 10) or an employee of the Department of Defense who is designated as an emergency essential employee under section 1580 of title 10 shall be insured if the employee, within 60 days after the date of notification of deployment or designation, elects to be insured under a policy of insurance under this chapter. An election under the preceding sentence shall be effective when provided to the Office in writing, in the form prescribed by the Office, within such 60-day period.
- (d) Any services by an officer or employee under this chapter relating to benefits under this chapter shall be deemed, for purposes of section 1342 of title 31, services for emergencies involving the safety of human life or the protection of property.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 593; Pub. L. 95-454, title IX, §906(a)(2), (3), Oct. 13, 1978, 92 Stat. 1224; Pub. L. 106-398, §1 [[div. A], title XI, §1134(a)], Oct. 30, 2000, 114 Stat. 1654, 1654A-318; Pub. L. 110-417, [div. A], title XI, §1103(a), Oct. 14, 2008, 122 Stat. 4616; Pub. L. 116-92, div. A, title XI, §1110(b), Dec. 20, 2019, 133 Stat. 1600.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 2094(a) (less 1st par.).	Aug. 17, 1954, ch. 752, §5(a) (less 1st par.), 68 Stat. 738.

In subsection (a), the words "eligible for insurance" are coextensive with and substituted for "eligible under the terms of this chapter".

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

AMENDMENTS

2019—Subsec. (d). Pub. L. 116-92 added subsec. (d).
2008—Subsec. (c). Pub. L. 110-417 inserted “an employee who is deployed in support of a contingency operation (as that term is defined in section 101(a)(13) of title 10) or” after “subsection (b),” and substituted “the date of notification of deployment or” for “the date of the”.
2000—Subsec. (c). Pub. L. 106-398 added subsec. (c).
1978—Subsecs. (a), (b). Pub. L. 95-454 substituted “Office of Personnel Management” for “Civil Service Commission” and “Office” for “Commission”.

EFFECTIVE DATE OF 2019 AMENDMENT

Pub. L. 116-92, div. A, title XI, §1110(d), Dec. 20, 2019, 133 Stat. 1600, provided that: “The amendments made by subsection[s] (a) and (b) [amending this section and section 8905 of this title] shall apply to any lapse in appropriations beginning on or after the date of enactment of this Act [Dec. 20, 2019].”

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-454 effective 90 days after Oct. 13, 1978, see section 907 of Pub. L. 95-454, set out as a note under section 1101 of this title.

REGULATIONS

Pub. L. 116-92, div. A, title XI, §1110(c), Dec. 20, 2019, 133 Stat. 1600, provided that:
“(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act [Dec. 20, 2019], the Office of Personnel Management shall prescribe regulations to carry out the amendments made by subsections (a) and (b) [amending this section and section 8905 of this title].
“(2) PAY STATUS FOR FURLOUGHED EMPLOYEES.—The regulations prescribed under paragraph (1) for the amendments made by subsection (a) [amending section 8905 of this title] shall provide that an employee furloughed as result of a lapse in appropriations shall, during such lapse, be deemed to be in a pay status for purposes of enrolling or changing the enrollment (as the case may be) of that employee under chapter 89 of title 5, United States Code.”

APPLICABILITY

Pub. L. 106-398, §1 [[div. A], title XI, §1134(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-318, provided that: “For purposes of section 8702(c) of title 5, United States Code (as added by subsection (a)), an employee of the Department of Defense who is designated as an emergency essential employee under section 1580 of title 10, United States Code, before the date of the enactment of this Act [Oct. 30, 2000] shall be deemed to be so designated on the date of the enactment of this Act.”

§ 8703. Benefit certificate

The Office of Personnel Management shall arrange to have each insured employee receive a certificate setting forth the benefits to which he is entitled, to whom the benefits are payable, to whom the claims shall be submitted, and summarizing the provisions of the policy principally affecting him. The certificate is issued instead of the certificate which the insurance company would otherwise be required to issue.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 593; Pub. L. 95-454, title IX, §906(a)(2), Oct. 13, 1978, 92 Stat. 1224.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Derivation, U.S. Code, Revised Statutes and Statutes at Large. Row 1: ..... 5 U.S.C. 2098. Aug. 17, 1954, ch. 752, §9, 68 Stat. 742.

The words “each insured employee” are coextensive with and substituted for “each employee insured under such policy”.
Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

AMENDMENTS

1978—Pub. L. 95-454 substituted “Office of Personnel Management” for “Civil Service Commission”.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-454 effective 90 days after Oct. 13, 1978, see section 907 of Pub. L. 95-454, set out as a note under section 1101 of this title.

§ 8704. Group insurance; amounts

(a) An employee eligible for insurance is entitled to be insured for an amount of group life insurance equal to—

- (1) the employee’s basic insurance amount, multiplied by
(2) the appropriate factor determined on the basis of the employee’s age in accordance with the following schedule:

Table with 2 columns: If the age of the employee is, The appropriate factor is:
35 or under ..... 2.0
36 ..... 1.9
37 ..... 1.8
38 ..... 1.7
39 ..... 1.6
40 ..... 1.5
41 ..... 1.4
42 ..... 1.3
43 ..... 1.2
44 ..... 1.1
45 or over ..... 1.0.

(b) An employee eligible for insurance is entitled to be insured for group accidental death and dismemberment insurance in accordance with this subsection. Subject to the conditions and limitations approved by the Office of Personnel Management which are contained in the policy purchased by the Office, the group accidental death and dismemberment insurance provides payment as follows:

Table with 2 columns: Loss, Amount payable
For loss of life ..... Full amount of the employee’s basic insurance amount.
Loss of one hand or of one foot or loss of sight of one eye. One-half the amount of the employee’s basic insurance amount.
Loss of two or more such members. Full amount of the employee’s basic insurance amount.

For any one accident the aggregate amount of group accidental death and dismemberment insurance that may be paid may not exceed an amount equal to the employee’s basic insurance amount.

(c) The Office shall prescribe regulations providing for the conversion of other than annual rates of pay to annual rates of pay and shall specify the types of pay included in annual pay. For the purpose of this chapter, “annual pay” includes—

- (1) premium pay under section 5545(c)(1) of this title; and
(2) with respect to a law enforcement officer as defined in section 8331(20) or 8401(17) of this