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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

5 CFR Part 1653

Legal Process for the Enforcement of a Participant's Legal Obligations To Provide Child Support or Make Alimony Payments

AGENCY: Federal Retirement Thrift Investment Board.

ACTION: Final rule.

SUMMARY: The Executive Director of the Federal Retirement Thrift Investment Board (Board) is adopting as a final rule without change an interim regulation which explains the Board's procedures for responding to legal process for the enforcement of a participant's legal obligations to provide child support or make alimony payments.

EFFECTIVE DATE: These final rules are effective December 21, 1995.

FOR FURTHER INFORMATION CONTACT: Patrick J. Forrest (202) 942-1662, Federal Retirement Thrift Investment Board, 1250 H Street, NW., Suite 400, Washington, DC 20005.

SUPPLEMENTARY INFORMATION: The Board administers the Thrift Savings Plan (TSP), which was established by the Federal Employees' Retirement System Act of 1986 (FERSA), Public Law 99-335, 101 Stat. 514 (1986), which has been codified, as amended, largely at 5 U.S.C. 8401-8479 (1994). The TSP is a tax-deferred retirement savings plan for Federal employees that is similar to cash or deferred arrangements established under section 401(k) of the Internal Revenue Code. Sums in a TSP participant's account are held in trust for that participant. 5 U.S.C. 8437(g).

FERSA provides that payments from the TSP that would otherwise be made to any participant "shall be subject to legal process for the enforcement of the individual's legal obligations to provide child support or make alimony

payments as provided in section 459 of the Social Security Act (42 U.S.C. 659)." 5 U.S.C. 8437(e)(3).

These regulations address only legal process for the enforcement of a participant's legal obligations to provide child support or make alimony payments. The Board also must honor a court decree of divorce, annulment, or legal separation or a court order or court-approved property settlement agreement incident to such decree that expressly awards a portion of a participant's TSP account to a spouse, former spouse, child or other dependent of the participant, or to the attorney for the spouse, former spouse, child or other dependent of the participant for attorney fees. 5 U.S.C. 8467 and 8435(c). The Board refers to these documents as "retirement benefits court orders," and regulations governing them can be found at 60 FR 13604 (1995) (to be codified at 5 CFR part 1653, subpart A).

On August 31, 1995, the Board published an interim rule with request for comment in the Federal Register (60 FR 45624) relating to the Board's procedures for responding to legal process for the enforcement of participant's legal obligations to provide child support or make alimony payments. The Board received no comments on the interim rule. Therefore, we are adopting the provisions of the interim rule as a final rule without change.

Federal Retirement Thrift Investment Board.

Roger W. Mehle,
Executive Director.

Accordingly, the interim rule amending 5 CFR part 1653, which was published at 60 FR 45624 on August 31, 1995, is adopted as a final rule without change.

[FR Doc. 95-31016 Filed 12-20-95; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Agricultural Research Service

7 CFR Part 510

Availability of Information

AGENCY: Agricultural Research Service, USDA.

ACTION: Final rule.

SUMMARY: This document amends regulations of the Agricultural Research Service (ARS) regarding the availability of information to the public in accordance with the Freedom of Information Act (FOIA) to inform the public of the change in location and title of the FOIA Coordinator for ARS and to make technical corrections in the regulations.

EFFECTIVE DATE: December 21, 1995.

FOR FURTHER INFORMATION CONTACT: Stasia A.M. Hutchison, FOIA Coordinator, Agricultural Research Service, USDA, 6303 Ivy Lane, Room 456, Greenbelt, MD 20770, (301) 344-2207.

SUPPLEMENTARY INFORMATION: The FOIA requires agencies to publish in the Federal Register regulations describing how the public may obtain information from the agency (5 U.S.C. 552(a)(1)). Part 510 of Title 7, Code of Federal Regulations, is issued in accordance with the regulations of the Secretary of Agriculture at 7 CFR Part 1, Subpart A, implementing FOIA.

Pursuant to an internal reorganization of the Department of Agriculture (USDA), the National Agricultural Library (NAL) has been integrated as a subordinate unit within the Agricultural Research Service (ARS), USDA, and the Human Nutrition Information Service (HNIS) has been abolished and the research functions formerly administered by HNIS have been delegated to the Administrator, ARS. Requests for information relating to NAL or HNIS may be directed to the ARS FOIA Coordinator pursuant to the Part.

Former Sections 510.2, Public inspection and copying, and 510.3, Index, have been merged into one new Section 510.2, Public inspection, copying, and indexing. A new Section 510.4, Denials, has been added to clarify the procedures when requested documents are denied by the FOIA Coordinator. This document also amends Part 510 to inform the public of the change in the location and title of the FOIA Coordinator for ARS.

This rule relates to internal agency management. Therefore, pursuant to 5 U.S.C. 553, notice of proposed rulemaking and opportunity for comment are not required, and this may be made effective less than 30 days after publication in the Federal Register. Further, since this rule relates to