

# Proposed Rules

Federal Register

Vol. 63, No. 3

Tuesday, January 6, 1998

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## OFFICE OF PERSONNEL MANAGEMENT

### 5 CFR Part 890

RIN 3206-AI05

#### Federal Employees Health Benefits Program: Removal of Minimum Salary Requirement

**AGENCY:** Office of Personnel Management.

**ACTION:** Proposed rule.

**SUMMARY:** The Office of Personnel Management (OPM) is issuing a proposed rule. This rule removes an obsolete provision that prohibits an employee whose annual salary is \$350 or less from enrolling in the Federal Employees Health Benefits (FEHB) Program.

**DATES:** Comments must be received on or before February 5, 1998.

**ADDRESSES:** Send comments to Abby L. Block, Chief, Insurance Policy and Information Division, Office of Insurance Programs, Retirement and Insurance Service, Office of Personnel Management, P.O. Box 707, Washington, DC 20044; or deliver to OPM, Room 3425, 1900 E Street, NW, Washington, DC 20415; or FAX to 202-606-0633.

**FOR FURTHER INFORMATION CONTACT:** Kenneth A. Lease, 202-606-0004.

**SUPPLEMENTARY INFORMATION:** Since the FEHB Program began in 1960, FEHB regulations have prohibited an employee earning \$350 or less per year from enrolling in the Program. This provision was based on the fact that employee contributions to premiums could only be made by salary withholding while an employee was in a pay status. (\$350 is the amount which in 1960 was sufficient to cover the appropriate employee contributions for the least costly FEHB plan.) As amended in August 1982, however, the regulations now require enrollee contributions, by direct payment if necessary, for all periods during which coverage continues, even periods during which an employee does not receive pay

(such as a leave without pay situation). Since the previous rationale for the minimum earnings level for FEHB enrollment no longer exists, OPM is proposing to remove this obsolete requirement.

We also propose to amend the reference in the definition of *letter of credit* under § 890.101 to conform to a recent reference change in Chapter 16 of title 48, Code of Federal Regulations (FEHBAR).

#### Regulatory Flexibility Act

I certify that this regulation will not have a significant economic impact on a substantial number of small entities because it primarily affects Federal employees.

#### List of Subjects in 5 CFR Part 890

Administrative practice and procedure, Government employees, Health facilities, Health insurance, Health professions, Hostages, Iraq, Kuwait, Lebanon, Reporting and recordkeeping requirements, Retirement.

U.S. Office of Personnel Management.

**Janice R. Lachance,**  
*Director.*

Accordingly, OPM proposes to amend 5 CFR part 890 as follows:

#### PART 890—FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

1. The authority citation for part 890 continues to read as follows:

**Authority:** 5 U.S.C. 8913; § 890.803 also issued under 50 U.S.C. 403p, 22 U.S.C. 4069c and 4069c-1; subpart L also issued under sec. 599C of Pub. L. 101-513, 104 Stat. 2064, as amended, § 890.102 also issued under sections 11202(f), 11232(e), and 11246(b) and (c) of Pub. L. 105-33, 111 Stat. 251.

2. In § 890.101, paragraph (a), the definition of *Letter of Credit* is revised to read as follows:

#### § 890.101 Definitions; time computations.

(a) \* \* \*  
*Letter of credit* is defined in 48 CFR subpart 1602.1.

\* \* \* \* \*

#### § 890.102 [Amended]

3. In § 890.102, paragraph (c)(4) is removed and paragraphs (c)(5), (c)(6), (c)(7), and (c)(8) are redesignated as paragraphs (c)(4), (c)(5), (c)(6), and (c)(7) respectively.

4. In § 890.303, paragraph (b) is revised to read as follows:

#### § 890.303 Continuation of enrollment.

\* \* \* \* \*

(b) *Change of enrolled employees to certain excluded positions.* Employees and annuitants enrolled under this part who move, without a break in service or after a separation of 3 days or less, to an employment in which they are excluded by § 890.102(c), continue to be enrolled unless excluded by paragraphs (c) (4), (5), (6), or (7) of § 890.102.

\* \* \* \* \*

[FR Doc. 98-102 Filed 1-5-98; 8:45 am]

BILLING CODE 6325-01-P

## DEPARTMENT OF AGRICULTURE

### Natural Resources Conservation Service

#### 7 CFR Part 610

RIN 0578-AA22

#### Technical Assistance

**AGENCY:** Natural Resources Conservation Service.

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** This document extends the comment period of a proposed rule published in the **Federal Register** on December 4, 1997. This rule sets forth policies and procedures for the use of State Technical Committees by the USDA, and also the responsibilities assigned to the Natural Resources Conservation Service (NRCS) beyond that of soil conservation. This proposed rule is located at 62 FR 64174-64177.

**DATES:** Comments must be received by January 23, 1997.

**ADDRESSES:** All comments concerning this proposed rule should be addressed to: Gary Nordstrom, Director, Conservation Operations Division, Natural Resources Conservation Service, P.O. Box 2890, Washington, D.C. 20013-2890; Attention: State Technical Committee. Fax (202) 720-1838. This rule may also be accessed, and comments submitted, via Internet. Users can access the NRCS **Federal Register** homepage and submit comments at: <http://astro.itc.nrcs.usda.gov:6500>.

**FOR FURTHER INFORMATION CONTACT:** Denise Coleman, Conservation Operations Division, Natural Resources Conservation Service; phone: (202) 720-9476; Fax: (202) 720-4265; E-mail: