§ 1605.13 Back pay awards and other retroactive pay adjustments.

(a) Participant not employed. The following rules apply to participants who receive a back pay award or other retroactive pay adjustment for a period during which the participant was separated from Government service or was not appointed to a position that is covered by FERS, CSRS, or an equivalent system under which TSP participation is authorized:

(1) If the participant is reinstated or retroactively appointed to a position that is covered by FERS, CSRS, or an equivalent system under which TSP participation is authorized, immediately upon reinstatement or retroactive appointment the employing agency must give the participant the opportunity to submit a contribution election to make current contributions. The contribution election will be effective as soon as administratively feasible, but no later than the first day of the first full pay period after it is received.

(2) The employing agency must give a reinstated or retroactively appointed participant the following options for electing makeup contributions:

(i) The reinstated or retroactively appointed participant may submit a new contribution election for purposes of makeup contributions if he or she would have been eligible to make such an election but for the erroneous separation or erroneous failure to appoint; or

(ii) If a reinstated participant had a contribution election on file when he or she separated, the contribution election the participant had on file when he or she separated may be reinstated for purposes of makeup contributions.

(b) Participant employed. The following rules apply to participants who receive a back pay award or other retroactive pay adjustment for a period during which the participant was employed in a position that is covered by FERS, CSRS, or an equivalent system under which TSP participation is authorized:

(1) If the participant is reinstated or retroactively appointed to a position that is covered by FERS, CSRS, or an equivalent system under which TSP participation is authorized, immediately upon reinstatement or retroactive appointment the employing agency must give the participant the opportunity to submit a contribution election to make current contributions. The contribution election will be effective as soon as administratively feasible, but no later than the first day of the first full pay period after it is received.

(2) The employing agency must give a reinstated or retroactively appointed participant the following options for electing makeup contributions:

(i) The reinstated or retroactively appointed participant may submit a new contribution election for purposes of makeup contributions if he or she would have been eligible to make such an election but for the erroneous separation or erroneous failure to appoint; or

(ii) If a reinstated participant had a contribution election on file when he or she separated, the contribution election the participant had on file when he or she separated may be reinstated for purposes of makeup contributions.

(d) Prior withdrawal of TSP account. If a participant has withdrawn his or her TSP account other than by purchasing an annuity, and the separation from Government service upon which the withdrawal was based is reversed, resulting in reinstatement of the participant without a break in service, the participant will have the option to restore the amount withdrawn to his or her TSP account.* * *

PART 1653—COURT ORDERS AND LEGAL PROCESSES AFFECTING THRIFT SAVINGS PLAN ACCOUNTS

§ 1653.2 Qualifying retirement benefits court orders.

(b) An order that requires the TSP to calculate the payee’s entitlement or earnings in a manner that is inconsistent with § 1653.4 of this part.

§ 1653.4 Calculating entitlements.

(f) * * *

(ii) Determining, based on the participant’s investment allocation as of the date used to calculate the entitlement, the number and composition of shares of the participant’s award amount would have purchased as of the date used to calculate the entitlement.

§ 1653.5 Payment.

(g) * * *

(2) If the order does not specify an order of precedence for the payments, the TSP will pay a current or former spouse first and a dependent second.

§ 1653.11 Definitions.

(a) Definitions generally applicable to the Thrift Savings Plan are set forth at 5 CFR 1690.1.

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

7 CFR Parts 210, 215, 220, 235 and 245

RIN 0584–AD54

[FNS–2007–0023]

Applying for Free and Reduced Price Meals in the National School Lunch Program and School Breakfast Program and for Benefits in the Special Milk Program, and Technical Amendments

AGENCY: Food and Nutrition Service, USDA.

ACTION: Final rule; Correction.

SUMMARY: The Department of Agriculture, Food and Nutrition Service published a final rule in the Federal Register on October 28, 2011 (76 FR 66849), concerning changes to eligibility determinations for free and reduced price school meals to implement nondiscretionary provisions of the Child Nutrition and WIC Reauthorization Act of 2004. It also finalized the changes set forth in the interim rule published on November 13, 2007 (72 CFR 63785). This document corrects an amendment to provide additional amendatory language for text that was set out in 7 CFR 245.6(c)(3)(ii). All other information remained unchanged.

DATES: Effective Date: This rule is effective December 16, 2011.

FOR FURTHER INFORMATION CONTACT: Julie Brewer, Chief, Policy and Program Development Branch, Child Nutrition Division, Food and Nutrition Service (FNS) at (703) 305–2590.

SUPPLEMENTARY INFORMATION:

List of Subjects 7 CFR Part 245

Civil rights, Food assistance programs, Grant programs—education, Grant programs—health, Infants and children, Milk, Reporting and recordkeeping requirements, School breakfast and lunch programs.

Accordingly, the final rule published at 76 FR 66849 on October 28, 2011 is corrected as follows:

PART 245—DETERMINING ELIGIBILITY FOR FREE AND REDUCED PRICE MEALS AND FREE MILK IN SCHOOLS

§ 245.6 Redesignate paragraph (c)(3)(ii) as (c)(3)(iii) and add a new paragraph (c)(3)(iv) to read as follows:
§ 245.6 Application, eligibility and certification of children for free and reduced price meals and free milk.

* * * * *
(c) * * *
(3) * * * *(ii) Households must attest to changes in information as specified in § 245.6(a)(9). In addition, benefits cannot be reduced by information received through other sources without the written consent of the household, except for information received through verification.

* * * * *

Dated: December 8, 2011.

Audrey Rowe,
Administrator, Food and Nutrition Service.

[FR Doc. 2011–32199 Filed 12–15–11; 8:45 am]

BILLING CODE 3410–30–P

NUCLEAR REGULATORY COMMISSION

10 CFR Part 52

RIN 3150–AI84

[NRC–2010–0134]

U.S. Advanced Boiling Water Reactor Aircraft Impact Design Certification Amendment

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC or the Commission) is amending its regulations to certify an amendment to the U.S. Advanced Boiling Water Reactor (U.S. ABWR) standard plant design to comply with the NRC’s aircraft impact assessment (AIA) regulations. This action allows applicants or licensees intending to construct and operate a U.S. ABWR to comply with the NRC’s AIA regulations by referencing the amended design certification rule (DCR). The applicant for certification of the amendment to the U.S. ABWR design is STP Nuclear Operating Company (STPNOC).

DATES: Effective Date: The effective date of this rule is January 17, 2012. The incorporation by reference of certain material specified in this regulation is approved by the Director of the Office of the Federal Register as of January 17, 2012.

ADDRESSES: You can access publicly available documents related to this document using the following methods:

- NRC’s Public Document Room (PDR): The public may examine and have copied, for a fee, publicly available documents at the NRC’s PDR, O1–F21,

I. Background

One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

- NRC’s Agencywide Documents Access and Management System (ADAMS): Publicly available documents created or received at the NRC are available online in the NRC Library at http://www.nrc.gov/reading-rm/adams.html. From this page, the public can gain entry into ADAMS, which provides text and image files of the NRC’s public documents. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC’s PDR reference staff at 1–(800) 397–4209, (301) 415–4737, or by email at pdr.resource@nrc.gov.

- Federal Rulemaking Web Site: Public comments and supporting materials related to this final rule can be found at http://www.regulations.gov by searching on Docket ID NRC–2010–0134. Address questions about NRC docket to Carol Gallagher at (301) 492–3668, or by email at Carol.Gallagher@nrc.gov.


SUPPLEMENTAL INFORMATION:

I. Background

II. Summary and Analysis of Public Comments on the Proposed Rule

III. Discussion

A. Technical Evaluation of the STPNOC Amendment to U.S. ABWR Design

B. Regulatory and Policy Issues

C. Changes to Appendix A to 10 CFR Part 52—Design Certification Rule for the U.S. Advanced Boiling Water Reactor

IV. Section-by-Section Analysis

A. Introduction (Section I)

B. Definitions (Section II)

C. Scope and Contents (Section III)

D. Additional Requirements and Restrictions (Section IV)

E. Applicable Regulations (Section V)

F. Issue Resolution (Section VI)

G. Processes for Changes and Departures (Section VIII)

H. Records and Reporting (Section X)

V. Agreement State Compatibility

VI. Availability of Documents

VII. Voluntary Consensus Standards

VIII. Finding of No Significant Environmental Impact: Availability

IX. Paperwork Reduction Act Statement

X. Regulatory Analysis

XI. Regulatory Flexibility Act Certification

XII. Backfitting

XIII. Congressional Review Act