United States
Office of
Personnel Management
The Federal Government's Human Resources Agency

Benefits Administration Letter

Number: 16-201   **Date:** January 4, 2016

Subject: Federal Employees' Group Life Insurance (FEGLI) Program: Updated Guidance on Election Opportunities for Employees Deployed in Support of Contingency Operations

Background and Purpose

Public Law 110-417, the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (the Act), authorized opportunities for certain employees to elect FEGLI coverage:

1) civilian employees eligible for FEGLI who are deployed in support of a contingency operation as defined by section 101(a) (13) of title 10, United States Code; and

2) civilian employees in the Department of Defense eligible for FEGLI who are designated as "emergency essential" under section 1580 of Title 10, United States Code.

General information about these election opportunities is available in Benefits Administration Letter (BAL) 08-204, available at www.opm.gov/life

The purpose of this BAL is to provide guidance to agencies on the status of current qualifying contingency operations.

Active Contingency Operations

- Operation Inherent Resolve (Iraq, Syria)
    - Designated as a contingency operation by the Secretary of Defense effective September 14, 2014.
    - Military operations pursuant to Operation Inherent Resolve began August 8, 2014
- Operation Freedom's Sentinel (Afghanistan)
    - Designated as a contingency operation by the Secretary of Defense effective January 1, 2015.

Contingency Operations That Have Ended

- Operation Iraqi Freedom (Iraq)

- o Ended effective December 31, 2011 in statement by the Secretary of Defense on December 23, 2011. More information in BAL 12-201, available at www.opm.gov/life.
- Operation New Dawn (Iraq)
  - o Ended effective December 31, 2011 in statement by the Secretary of Defense on December 23, 2011. More information in BAL 12-201, available at www.opm.gov/life.
- Operation Enduring Freedom (Afghanistan)
  - o Ended effective December 31, 2014 in statement by the Secretary of Defense on December 28, 2014.

Which Employees Are Affected?

Civilian employees deployed in support of Operation Freedom's Sentinel, Operation Inherent Resolve, and Operation Enduring Freedom.

How Employees Are Affected – Operation Freedom's Sentinel

Please note that Operation Enduring Freedom ended on December 31, 2014 and transitioned to Operation Freedom's Sentinel on January 1, 2015.

If the civilian employee received notice of deployment in support of Operation Freedom's Sentinel, timely elected FEGLI Basic and/or Optional insurance on or after January 1, 2015, and deployed on or after January 1, 2015, the employee is allowed to retain elected coverage. Coverage is effective on the date the employing office received the election if the employee was in pay and duty status on that date. If the employee is not in pay and duty status on the day the employing office receives the election, the coverage becomes effective on the date the employee returns to pay and duty status.

How Employees Are Affected – Operation Inherent Resolve

Please note that Operation Inherent Resolve has been officially designated as the name given to U.S. military operations against the Islamic State of Iraq and the Levant (ISIL) in Iraq and Syria and that the Operation Inherent Resolve name applies retroactively to all U.S. military actions conducted against ISIL in Iraq and Syria since airstrikes against ISIL began Aug. 8, 2014 in Iraq.

If the civilian employee received notice of deployment in support of Operation Inherent Resolve, timely elected FEGLI Basic and/or Optional insurance on or after August 8, 2014, and deployed on or after August 8, 2014, the employee is allowed to retain elected coverage. Coverage is effective on the date the employing office received the election if the employee was in pay and duty status on that date. If the employee is not in pay and duty status on the day the employing office receives the election, the coverage becomes effective on the date the employee returns to pay and duty status.

How Employees Are Affected – Operation Enduring Freedom

If the civilian employee received notice of deployment in support of Operation Enduring Freedom, timely elected FEGLI Basic and/or Optional insurance prior to January 1, 2015, and deployed to Afghanistan prior to January 1, 2015, the employee is allowed to retain elected FEGLI coverage. Coverage is effective on the date the employing office received the election if the employee was in pay and duty status on that date. If the employee is not in pay and duty status on the day the employing office receives the election, the coverage becomes effective on the date the employee returns to pay and duty status.

If the civilian employee received notice of deployment in support of Operation Enduring Freedom, timely elected FEGLI Basic and/or Optional insurance prior to January 1, 2015, and deployed to Afghanistan on or after January 1, 2015, the employee is not allowed to retain elected coverage. The contingency operation ended on December 31, 2014, before the employee deployed. Any "enrollment" must be voided effective on the commencing date of coverage and erroneous withholdings, if any, refunded to the employee. The SF2817 "Life Insurance Election" form (or its electronic equivalent) should be voided with the statement "Election Not Allowed Due to End of Contingency Operation Enduring Freedom" added to "Remarks" in Section 6.

If the civilian employee received a notice of deployment in support of Operation Enduring Freedom, but requested an election on or after January 1, 2015, the employee is not eligible to enroll in FEGLI coverage, even if he or she timely filed the request within 60 days after receiving the notice of deployment. The reason is the contingency operation ended on December 31, 2014. Any "enrollment" must be voided effective on the commencing date of coverage and erroneous withholdings, if any, refunded to the employee. The SF2817 "Life Insurance Election" form (or its electronic equivalent) should be voided with the statement "Election Not Allowed Due to End of Contingency Operation Enduring Freedom" added to "Remarks" in Section 6.

If the civilian employee received a notice of deployment in support of Operation Enduring Freedom on or after January 1, 2015, and the agency erroneously offered a FEGLI enrollment opportunity, the employee will not be allowed to enroll because the contingency operation ended December 31, 2014. Any "enrollment" must be voided effective on the commencing date of coverage and erroneous withholdings, if any, refunded to the employee. The SF2817 "Life Insurance Election" form (or its electronic equivalent) should be voided with the statement "Election Not Allowed Due to End of Contingency Operation Enduring Freedom" added to "Remarks" in Section 6.

If the civilian employee received a notice of deployment in support of Operation Enduring Freedom and timely requested to elect FEGLI, but never deployed, the employee is not eligible to enroll in FEGLI because he/she never deployed in support of a CO as required by the Act. Any erroneous "enrollment" must be voided effective the commencing date of coverage and erroneous withholdings, if any, refunded to the employee. The SF 2817 "Life Insurance Election" form (or its electronic equivalent) should be voided with the statement "Election Not Allowed Due to End of Contingency Operation Enduring Freedom" added to "Remarks" in Section 6.

Alternative Election Opportunity

Please note that a civilian employee who is not deployed in support of a contingency operation as defined by section 101(a)(13) of title 10, United States Code, may still be eligible to apply for FEGLI Basic and/or Optional insurance (except Option C Family Coverage) by contacting his/her agency HR Specialist and providing satisfactory medical evidence of insurability.

If you have any questions or comments regarding this BAL, you may contact Dave Johnston, Program Analysis Officer, at (202) 606-1413 or you may email fegli@opm.gov.

Sincerely,

John O'Brien
Director
Healthcare and Insurance