

1351(a)(1); Secretary's Order No. 4–2001, 66 FR 29,656, May 31, 2001.

■ 2. A new § 458.4 is added to read as follows:

**§ 458.4 Informing members of the standards of conduct provisions.**

(a) Every labor organization subject to the requirements of the CSRA, the FSA, or the CAA shall inform its members concerning the standards of conduct provisions of the Acts and the regulations in this subchapter. Labor organizations shall provide such notice to members by October 2, 2006 and thereafter to all new members within 90 days of the time they join and to all members at least once every three years. Notice must be provided by hand delivery, U.S. mail or e-mail or a combination of the three as long as the method is reasonably calculated to reach all members. Such notice may be included with the required notice of local union elections. Where a union newspaper is used to provide notice, the notice must be conspicuously placed on the front page of the newspaper, or the front page should have a conspicuous reference to the inside page where the notice appears, so that the inclusion of the notice in a particular issue is readily apparent to each member.

(b) A labor organization may demonstrate compliance with the requirements of paragraph (a) of this section by showing that another labor organization provided an appropriate notice to all of its members during the necessary time frame.

(c) Labor organizations may use the Department of Labor publication Union Member Rights and Officer Responsibilities under the Civil Service Reform Act (available on the OLMS Web site at <http://www.dol.gov/esa/regs/compliance/olms/CSRAFactSheet.pdf> for the pdf version and <http://www.dol.gov/esa/regs/compliance/olms/CSRAFactSheet.htm> for the html version) or may devise their own language as long as the notice accurately states all of the CSRA standards of conduct provisions as set forth in the fact sheet.

(d) If a labor organization has a Web site, the site must contain a conspicuous link to Union Member Rights and Officer Responsibilities under the Civil Service Reform Act or, alternatively, to the labor organization's own notice prepared in accordance with paragraph (c) of this section.

Signed at Washington, DC, this 24th day of May 2006.

**Victoria A. Lipnic,**  
*Assistant Secretary for Employment Standards.*

Signed at Washington, DC, this 24th day of May 2006.

**Don Todd,**  
*Deputy Assistant Secretary for Labor-Management Programs.*  
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## DEPARTMENT OF DEFENSE

[DOD–2006–HA–0089]

### 32 CFR Part 199

RIN 0720–AA93

#### **Office of the Secretary; TRICARE; Changes Included in the National Defense Authorization Act for Fiscal Year 2005; TRICARE Dental Program**

**AGENCY:** Office of the Secretary, DoD.

**ACTION:** Final rule.

**SUMMARY:** The Department is publishing this final rule to implement sections 711 and 715 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (NDAA for FY05), Public Law 108–375. Specifically, that legislation makes young dependents of deceased Service members eligible for enrollment in the TRICARE Dental program when the child was not previously enrolled because of age, and authorizes post-graduate dental residents in a dental treatment facility of the uniformed services under a graduate dental education program accredited by the American Dental Association to provide dental treatment to dependents who are 12 years of age or younger and who are covered by a dental plan established under 10 U.S.C. 1076a. This adopts the interim rule published on September 21, 2005 (70 FR 55251).

**DATES:** *Effective Date:* June 2, 2006.

**ADDRESSES:** TRICARE Management Activity, TRICARE Operations/Dental Division, Skyline 5, Suite 810, 5111 Leesburg Pike, Falls Church, VA 22041–3206.

**FOR FURTHER INFORMATION CONTACT:** Col. Gary C. Martin, Office of the Assistant Secretary of Defense (Health Affairs), TRICARE Management Activity, telephone (703) 681–0039. Questions regarding payment of specific claims should be addressed to the appropriate TRICARE contractor.

**SUPPLEMENTARY INFORMATION:**

## I. Overview of the Rule

Opportunity for Young Child Dependent of Deceased Member To Become Eligible for Enrollment in a TRICARE Dental Plan

Currently, military members may enroll dependent children of any age in the TRICARE Dental Program (TDP), but many members choose not to enroll young children until they are automatically enrolled at four years of age. Unfortunately, when a member on active duty for a period of more than thirty days or a member of the Ready Reserve (i.e., Selected Reserve and Individual Ready Reserve) dies, dependent children less than four years of age who are not enrolled in the TDP at the time of the member's death are ineligible for enrollment for the three-year TDP survivor's benefit. The NDAA for FY05 corrects this inequity by giving young dependent children of deceased Service members the opportunity to become eligible for enrollment in the TDP although they were not previously enrolled due to their age.

Professional Accreditation of Military Dentists

Currently, § 199.13(a)(2)(iii) of this part excludes dependents of active duty, Selected Reserve and Individual Ready Reserve members enrolled in the TRICARE Dental Program (TDP) from obtaining benefit services provided by the TDP in military dental care facilities except for emergency treatment, dental care provided outside the United States, and services incidental to non-covered services. Due to insufficient numbers of pediatric patients available for treatment in DoD's training facilities, the uniformed services faced significant problems with program accreditation and pediatric dental training. The Services had difficulty maintaining accreditation of post-graduate training programs because of a lack of pediatric dental patients with the proper dental case mix required for training. In addition, without adequate case numbers and case complexity, residents who at completion of their training were assigned overseas were not always fully trained to manage and treat pediatric dental patients.

Section 715 of the NDAA for FY05 provides the uniformed services with authority to maintain American Dental Association accreditation standards for certain military dental specialty training programs that require treatment of pediatric patients and to provide pediatric training to meet requirements for the delivery of authorized dental care to children accompanying sponsors at OCONUS locations. The statute

authorizes the Services to treat in their facilities a limited number of pediatric dental patients enrolled in the TDP. The Services have estimated their pediatric patient load requirements to sustain training facilities at 500–600 patients annually per Service. Only those patients age 12 years or younger meeting training needs and accepted for care in DoD's training programs will be treated in those programs to the maximum of 2,000 patients annually across DoD. To ensure strict compliance with the amended statute, Health Affairs will allocate specific numbers of patient training cases to each Service Point of Contact (POC). Service POCs will implement registries to track the number of patients served on a daily basis to ensure that the respective patient case caps are not exceeded. Each service will forward a semi-annual report to the Dental Care Division, TRICARE Management Activity. An annual report will be submitted at the end of each fiscal year to the Assistant Secretary of Defense for Health Affairs.

## II. Review of Public Comments

The Interim Final Rule was published in the **Federal Register** on September 21, 2005 (70 FR 55251). We received no public comments.

## III. Regulatory Procedures

Executive Order 12866 requires that a comprehensive regulatory impact analysis be performed on any economically significant regulatory action, defined as one that would result in an annual effect of \$100 million or more on the national economy or which would have other substantial impacts. The Regulatory Flexibility Act (RFA) requires that each Federal agency prepare, and make available for public comment, a regulatory flexibility analysis when the agency issues a regulation which would have a significant impact on a substantial number of small entities. This rule is not an economically significant regulatory action and will not have a significant impact on a substantial number of small entities for purposes of the RFA, thus this final rule is not subject to any of these requirements. This rule, although not economically significant under Executive Order 12866, is a significant rule under Executive Order 12866 and has been reviewed by the Office of Management and Budget.

We have examined the impact of the proposed rule under Executive Order 13132 and it does not have policies that have federalism implications that would have substantial direct effect on the States, on the relationship between the

national government and the States, or on the distribution of power and responsibilities among the various levels of government, therefore, consultation with State and local officials is not required.

### *Paperwork Reduction Act*

This rule will not impose additional information collection requirements on the public under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3511).

### List of Subjects in 32 CFR Part 199

Claims, Dental program, Dental health, Health care, Health insurance, Military personnel.

### PART 199—[AMENDED]

■ Accordingly, the interim rule amending 32 CFR part 199 which was published on September 21, 2005 (70 FR 55251), is adopted as a final rule without change.

Dated: May 26, 2006.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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## DEPARTMENT OF DEFENSE

[DOD–2006–HA–0090]

### 32 CFR Part 199

RIN 0720–AA90

#### **Office of the Secretary; Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Transitional Assistance Management Program; Early Eligibility for TRICARE for Certain Reserve Component Members**

**AGENCY:** Office of the Secretary, DoD.

**ACTION:** Final rule.

**SUMMARY:** This final rule revises requirements and procedures for the Transitional Assistance Management Program, which was temporarily revised by section 704 of the National Defense Authorization Act for Fiscal Year 2004 (NDAA–04) (Pub. L. 108–136) and section 1117 of the Emergency Supplemental Appropriations Act for the Reconstruction of Iraq and Afghanistan, 2004 (Emergency Supplemental) (Pub. L. 108–106), which revisions were made permanent by section 706(a) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (NDAA–05) (Pub. L. 108–375). In addition, it establishes requirements and procedures for implementation of the earlier TRICARE

eligibility for certain reserve component members authorized by section 703 of NDAA–04 and section 1116 of the Emergency Supplemental, which provisions were made permanent by section 703 of NDAA–05. The rule adopts the interim rule published in the **Federal Register** on March 16, 2005 (70 FR 12798).

**DATES:** *Effective Date:* June 2, 2006.

**ADDRESSES:** TRICARE Management Activity, TRICARE Operations: 5111 Leesburg Pike, Ste. 810; Falls Church, VA 22041–3206.

**FOR FURTHER INFORMATION CONTACT:** Jody Donehoo, Office of the Assistant Secretary of Defense (Health Affairs), telephone (703) 681–0039. Questions regarding payment of specific claims under the TRICARE allowable charge method should be addressed to the appropriate TRICARE contractor.

### SUPPLEMENTARY INFORMATION:

#### I. Introduction and Background

A. *Overview of the Enhanced Health Care Benefits for Reservists and Their Family Members.* An interim final rule was published in the **Federal Register** on March 16, 2005 (70 FR 12798–12805) that addressed three provisions of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (NDAA–05) (Pub. L. 108–375) that enhance health care benefits for reservists and their family members. Two of the three provisions in that interim final rule are addressed in this final rule. The third provision that established requirements and procedures for implementation of TRICARE Reserve Select will be addressed in a separate interim final rule, incorporating the changes required by the National Defense Authorization Act for Fiscal Year 2006 (Pub. L. 109–163).

The first of the two provisions addressed in this final rule is section 706(a) of NDAA–05, which makes permanent the temporary revisions to the Transitional Assistance Management Program that were enacted in section 704 of the National Defense Authorization Act for Fiscal Year 2004 (NDAA–04) (Pub. L. 108–136) and section 1117 of the Emergency Supplemental Appropriations Act for the Reconstruction of Iraq and Afghanistan, 2004 (Emergency Supplemental) (Pub. L. 108–106). The second of the two provisions addressed in this final rule is section 703 of the NDAA–05, which makes permanent the earlier TRICARE eligibility for certain reserve component members that was authorized by section 703 of NDAA–04