

(15) *Qualifications.* Students may be evaluated by either agency-developed standards or by the OPM qualifications requirements for the target position. Any OPM test requirements are waived. Students are eligible for promotion.

(16) *Benefits.* (i) Students appointed under this program earn annual and sick leave and with no prior service or with less than 5 years of prior civilian service, are generally covered by the Federal Employees Retirement System (FERS) (see part 842 of this chapter).

(ii) For life insurance and health benefits coverage refer to § 870.202 and § 890.102 of this chapter.

(17) *Tuition assistance.* Agencies may use their training authority in 5 U.S.C. Chapter 41 and part 410 of this chapter to pay all or part of the students' training expenses.

(18) *Travel and transportation.* Agencies may pay for other expenses directly related to training, such as travel and transportation between duty station and school, for participants.

(19) *Reduction-in-force (RIF).* (i) Students are in excepted service Tenure Group II for purposes of § 351.502. They are accorded the same retention rights as excepted service employees.

(ii) They may qualify for severance pay if involuntarily separated under part 550, subpart G of this chapter.

* * * * *

PART 315—CAREER AND CAREER-CONDITIONAL EMPLOYMENT

4. The authority citation for part 315 continues to read:

Authority: 5 U.S.C. 1302, 3301, 3302; E.O. 10577, 3 CFR, 1954-1958 Comp., page 218, unless otherwise noted.

Secs. 315.601 and 315.609 also issued under 22 U.S.C. 3651 and 3652.

Secs. 315.602 and 315.604 also issued under 5 U.S.C. 1104.

Sec. 315.603 also issued under 5 U.S.C. 8151.

Sec. 315.605 also issued under E.O. 12034, 3 CFR, 1978 Comp., p. 111.

Sec. 315.606 also issued under E.O. 11219, 3 CFR, 1964-1965 Comp., p. 303.

Sec. 315.607 also issued under 22 U.S.C. 2506.

Sec. 315.608 also issued under E.O. 12721, 3 CFR, 1990 Comp., p. 293.

Sec. 315.610 also issued under 5 U.S.C. 3304(d).

Sec. 315.710 also issued under E.O. 12596, 3 CFR, 1987 Comp., p. 229.

Subpart I also issued under 5 U.S.C. 3321, E.O. 12107, 3 CFR, 1978 Comp., p. 264.

5. In § 315.201, paragraph (b)(1)(ix) is revised to read as follows:

§ 315.201 Service requirement for career tenure.

* * * * *

(b) * * *

(1) * * *

(ix) The date of nontemporary excepted appointment under § 213.3202(b) of this chapter, provided the student's appointment is converted to career or career-conditional appointment under Executive Order 12015, with or without an intervening term appointment, and without a break in service of one day.

* * * * *

[FR Doc. 97-31536 Filed 12-1-97; 8:45 am]

BILLING CODE 6325-01-P

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 410

RIN 3206-AF99

Federal Employee Training

AGENCY: Office of Personnel Management.

ACTION: Correcting amendments.

SUMMARY: This document contains a correction to the final regulations, which were published in the **Federal Register** of Tuesday, December 17, 1996 (61 FR 66189). The regulations implemented policies related to the training of Federal employees.

DATES: Effective on December 17, 1996.

FOR FURTHER INFORMATION CONTACT: Judith Lombard, 202-606-2431, email jmlombar@opm.gov, or fax 202-606-2394.

SUPPLEMENTARY INFORMATION:

Background

The final regulations subject to this correction affect the training of Federal employees. The subsection on reports contains an inaccurate reference about records of agency training plans, expenditures, and activities. The correction removes a reference to a non-existent subsection of the final regulations and adds, in its place, a reference to the correct subsection of the final regulations.

Need for Correction

As published, the final regulations contain an error which may prove to be misleading and needs to be corrected.

List of Subjects in 5 CFR Part 410

Education, Government employees.

Accordingly, 5 CFR part 410 is corrected by making the following correcting amendment:

PART 410—TRAINING

1. The authority citation for part 410 continues to read as follows:

Authority: 5 U.S.C. 4101, *et. seq.*; E.O. 11348, 3 CFR, 1967 Comp., p. 275.

§ 410.701 (Corrected)

2. In § 410.701, remove the reference to § 410.312, and add, in its place, § 410.311.

Office of Personnel Management.

Janice R. Lachance,

Director.

[FR Doc. 97-31535 Filed 12-1-97; 8:45 am]

BILLING CODE 6325-01-P

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 591

RIN 3206-AH51

Cost-of-Living Allowance (Nonforeign Areas)—Miscellaneous Changes

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The Office of Personnel Management is issuing regulations that implement four changes in the nonforeign area cost-of-living allowance (COLA) program. One change removes obsolete references to hiring authorities no longer in use. A second change clarifies the application of COLA regulations to two pay systems linked to or equivalent to the Senior Executive Service. A third change clarifies the application of COLA regulations to employees under other pay systems. The fourth change extends nonforeign area post differentials to employees on long-term temporary assignments in the same manner as is provided by the Department of State for employees in foreign areas.

DATES: These regulations become effective on December 2, 1997. These regulations are applicable on the first day of the first pay period beginning on or after December 2, 1997.

FOR FURTHER INFORMATION CONTACT: Paul B. Malerba at (202) 606-2838, FAX: (202) 606-4264, or EMAIL: cola@opm.gov.

SUPPLEMENTARY INFORMATION: Under section 5941 of title 5, United States Code, and Executive Order 10000, as amended, certain Federal employees in nonforeign areas outside the 48 contiguous States are eligible for cost-of-living allowances (COLAs) when local living costs are substantially higher than those in the Washington, DC, area. These COLAs are paid in Alaska, Hawaii, Puerto Rico, the U.S. Virgin Islands, and Guam and the Commonwealth of the Northern Mariana Islands.

The Office of Personnel Management (OPM) published proposed rules at 60 FR 13354 on March 20, 1997, concerning four regulatory changes in the COLA program. One change would remove obsolete references to hiring authorities no longer in use. A second change would clarify the application of COLA regulations to two pay systems linked to or equivalent to the Senior Executive Service. A third change would clarify the application of COLA regulations to employees under other pay systems. The fourth change would extend nonforeign area post differentials to employees on long-term temporary assignments in the same manner as is provided by the Department of State for employees in foreign areas.

OPM received three comments in response to the publication of the proposed regulations. One commenter endorsed the proposed changes in their entirety. The second commenter recommended including in section 591.201 (Definitions) the minimum length of time required for employees on temporary assignment to receive a differential. The third commenter recommended deleting the 25 percent limitation on allowances plus post differentials combined because there is no equivalent limitation under the Department of State program, and the purpose of OPM's proposed change was to parallel that program.

OPM is not adopting the second commenter's recommendation because the minimum period is not a term used throughout the regulations, but rather a criterion that is used only once in section 591.210(b). Therefore, it is not appropriate to include it in the definitions section. OPM is not adopting the third commenter's recommendation because by law nonforeign area COLA and post differentials combined cannot exceed 25 percent.

OPM notes that it published an interim rule at 60 FR 25423 on May 9, 1997, in response to changes made by the Federal Employee Travel Reform Act of 1996. The Act affects the status of employees who are assigned to work in another location for an extended period. The interim regulations clarify that the temporary duty station during such an extended assignment must be treated as the official duty station of the employee for purposes of determining the employee's location-based pay entitlements. The interim regulations added a definition of "official duty station" to 5 CFR 591.201 for purposes of paying allowances and differentials and changed the term "permanent duty station" to "official duty station" in 5 CFR 591.210(a) to make these terms consistent with those used in the

regulations on locality-based comparability payments. The regulations also make conforming changes in § 591.201 and in paragraphs (b)(1) (redesignated paragraph (c)(1)), and (c) (redesignated paragraph (d)) of § 591.210. OPM has incorporated these changes in this final rule.

Regulatory Flexibility Act

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

List of Subjects in 5 CFR Part 591

Government employees, Travel and transportation expenses, Wages.

Office of Personnel Management.

Janice R. Lachance,

Director.

Accordingly, OPM amends 5 CFR part 591 as follows:

PART 591—ALLOWANCES AND DIFFERENTIALS

Subpart B—Cost-of-Living Allowance and Post Differential—Nonforeign Areas

1. The authority citation for subpart B of part 591 continues to read as follows:

Authority: 5 U.S.C. 5941; E.O. 10000, 3 CFR, 1943–1948 Comp., p. 792; E.O. 12510, 3 CFR, 1985 Comp., p. 338.

2. In § 591.203, paragraphs (a)(1), (a)(3), (a)(6), and (b) are revised to read as follows:

§ 591.203 Agencies and employees covered.

(a) * * *
(1) General Schedule.

(3) Foreign Service (including the Senior Foreign Service).

(6) Senior Executive Service (including the Federal Bureau of Investigation—Drug Enforcement Administration Senior Executive Service).

(b) This subpart may be applied, at the sole discretion of the employing agency, to civilian employees in other positions authorized by specific law applicable to such positions, consistent with the intent of 5 U.S.C. 5941.

3. In § 591.210, paragraph (f) is removed, paragraphs (b) through (e) are redesignated as (c) through (f), respectively, and a new paragraph (b) is added to read as follows:

§ 591.210 Payment of allowances and differentials.

* * * * *

(b) Payment of an allowance or differential will begin on the effective date of the change in the employee's official duty station to a duty station within the allowance or differential area or on the effective date of the appointment in the case of local recruitment. An employee who is detailed for temporary duty in a nonforeign area (i.e., the employee's official duty station is outside the nonforeign area) is eligible for a differential, but not an allowance, except that payment of a differential shall not begin until after 42 consecutive calendar days of temporary duty in the differential area. Payment of an allowance or differential will cease—
(1) On separation;
(2) On the effective date of assignment or transfer to a new official duty station outside the allowance or differential area; or
(3) On the ending date of a detail, in the case of an employee on detail to temporary duty in a differential area.

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[FR Doc. 97–31537 Filed 12–1–97; 8:45 am]
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DEPARTMENT OF AGRICULTURE

Federal Crop Insurance Corporation

7 CFR Parts 401, 454, and 457

General Crop Insurance Regulations, Various Endorsements; Fresh Market Tomato (Guaranteed Production Plan) Crop Insurance Regulations; and Common Crop Insurance Regulations, Various Crop Insurance Provisions

AGENCY: Federal Crop Insurance Corporation, USDA.

ACTION: Interim rule.

SUMMARY: The Federal Crop Insurance Corporation (FCIC) amends the General Crop Insurance Regulations; Canning and Processing Tomato and Rice Endorsements; Fresh Market Tomato (Guaranteed Production Plan) Crop Insurance Regulations; and the Common Crop Insurance Regulations, Cotton, Coarse Grains (Corn, Grain Sorghum, and Soybeans), Dry Bean, ELS Cotton, Sugar Beet, and Sunflower Seed Crop Insurance Provisions, effective for the 1998 crop year only, for counties and states with a November 30 contract change date. FCIC is extending the contract change date to December 17, 1997.

The intended effect of this rule is to extend the contract change date, which