



Federal Register

**Monday,
April 24, 2006**

Part XXXVI

Office of Personnel Management

Semiannual Regulatory Agenda

OFFICE OF PERSONNEL MANAGEMENT (OPM)

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Ch. I

Regulatory Agenda

AGENCY: Office of Personnel Management.

ACTION: Semiannual regulatory agenda.

SUMMARY: The following Office of Personnel Management (OPM) regulations are scheduled for development or review during the 6-month period following publication. This agenda carries out OPM's responsibilities to publish a semiannual agenda under Executive Order 12866 "Regulatory Planning and Review" and the Regulatory Flexibility Act (5 U.S.C. chapter 6). This publication in the **Federal Register** does not impose a

binding obligation on the Office of Personnel Management with regard to any specific item on the agenda. Regulatory action in addition to the items listed is not precluded.

FOR FURTHER INFORMATION CONTACT: Jacqueline D. Carter, (202) 606-1973.

Linda M. Springer,
Director,
U.S. Office of Personnel Management.

Office of Personnel Management—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 3399 | Agency Authority to Take Personnel Actions in a National Emergency | 3206-AK65 |
| 3400 | Enterprise Human Resource Integration (EHRI) | 3206-AK40 |
| 3401 | Freedom of Information Act (FOIA) Regulations | 3206-AK53 |
| 3402 | Privacy Act Regulations | 3206-AK54 |
| 3403 | Employment in the Excepted Service | 3206-AH83 |
| 3404 | Human Resources Management in Agencies | 3206-AJ92 |
| 3405 | Merit Promotion and Internal Placement | 3206-AI20 |
| 3406 | Other Than Full-Time Employment (Part-Time, Seasonal, and Intermittent) | 3206-AI22 |
| 3407 | Reemployment Rights | 3206-AI19 |
| 3408 | Training and Executive, Management, and Supervisory Development | 3206-AK75 |
| 3409 | Critical Position Pay Authority | 3206-AK87 |
| 3410 | Repayment of Student Loans | 3206-AK51 |
| 3411 | Pay Administration; Availability Pay for Criminal Investigators | 3206-AJ49 |
| 3412 | Pay Administration Under the Fair Labor Standards Act | 3206-AK89 |
| 3413 | Reemployment of Civilian Retirees to Meet Exceptional Employment Needs | 3206-AI32 |
| 3414 | Nonforeign Area Cost-of-Living Allowances: 2005 Survey Rate Changes | 3206-AK97 |
| 3415 | Suitability | 3206-AK69 |
| 3416 | National Security Investigations | 3206-AC21 |
| 3417 | Investigations | 3206-AB92 |
| 3418 | Retirement—Court Orders Awarding Survivor Annuities; Correcting or Supplementing the First Order Dividing Marital Property | 3206-AG28 |
| 3419 | Federal Employees' Group Life Insurance (FEGLI) Program: Expanded Opportunities to Elect Coverage, Miscellaneous Changes and Clarifications, and Plain Language Rewrite | 3206-AG63 |
| 3420 | Federal Long-Term Care Insurance Program: Miscellaneous Changes, Corrections, and Clarifications | 3206-AK99 |
| 3421 | Federal Employees' Health Benefits (FEHB) Program: Waiver of Requirements for Continued Coverage During Retirement | 3206-AI62 |
| 3422 | Federal Employees Health Benefits Program: Discontinuance of Health Plan in an Emergency | 3206-AK95 |
| 3423 | Procedures for States and Localities To Request Indemnification | 3206-AK68 |
| 3424 | Solicitation of Federal Civilian and Uniformed Service Personnel for Contributions to Private Voluntary Organizations | 3206-AK79 |
| 3425 | Internal Revenue Service Broadbanding Systems | 3206-AL02 |
| 3426 | Senior Executive Service Pay | 3206-AL01 |

Office of Personnel Management—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 3427 | OPM Employee Responsibilities and Conduct | 3206-AJ69 |
| 3428 | Excepted Service—New Freedom Appointment of Persons with Disabilities and Career and Career-Conditional Employment | 3206-AK58 |
| 3429 | Excepted Service—Student Program | 3206-AK59 |
| 3430 | Personnel Management in Agencies—Employee Surveys | 3206-AK77 |
| 3431 | Changes in Pay Administration Rules for General Schedule Employees | 3206-AK88 |
| 3432 | Reasonable Accommodation Language for Vacancy Announcements | 3206-AJ11 |

OPM

Office of Personnel Management—Final Rule Stage (Continued)

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 3433 | Recruitment and Selection Through Competitive Examination | 3206-AJ52 |
| 3434 | Temporary Assignment of Employees Between Federal, State, Local, and Indian Tribal Governments | 3206-AJ94 |
| 3435 | Examining System | 3206-AK85 |
| 3436 | Restoration to Duty From Uniformed Service or Compensable Injury; Pay Rates and Systems (Gen.); Pay Under the Gen. Schedule; Pay Admn.; Bonuses; Allowances; Differentials; Duty Hours; Absence & Leave | 3206-AK61 |
| 3437 | Awards | 3206-AJ65 |
| 3438 | Classification Under the General Schedule | 3206-AH38 |
| 3439 | Recruitment, Relocation, and Retention Bonuses | 3206-AK81 |
| 3440 | Job Grading Reviews and Appeals of Federal Wage System Employees | 3206-AI14 |
| 3441 | Prevailing Rate Systems; North American Industry Classification System Based Federal Wage System Wage Surveys | 3206-AK94 |
| 3442 | Pretax Allotments for Flexible Spending Accounts | 3206-AJ88 |
| 3443 | Pay Administration (General) | 3206-AK74 |
| 3444 | Nonforeign Area Cost-of-Living Allowances; Rate Changes | 3206-AK67 |
| 3445 | Absence and Leave—SES Annual Leave | 3206-AK72 |
| 3446 | Absence and Leave—Creditable Service | 3206-AK80 |
| 3447 | Absence and Leave; Use of Restored Annual Leave | 3206-AK93 |
| 3448 | Implementation of Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002—Judgment Fund | 3206-AJ93 |
| 3449 | Implementation of Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002—Notification and Training | 3206-AK38 |
| 3450 | Implementation of Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002—Reporting and Best Practices | 3206-AK55 |
| 3451 | Notification of Post-Employment Restrictions | 3206-AK60 |
| 3452 | Employee Responsibilities and Conduct | 3206-AJ74 |
| 3453 | Retirement; Coverage—Nonappropriated Fund Instrumentalities | 3206-AH57 |
| 3454 | Retirement—State Income Tax Withholding Instrumentalities | 3206-AH62 |
| 3455 | Coverage for Certain Employees of the District of Columbia | 3206-AI02 |
| 3456 | Retirement, Health, and Life Insurance Coverage for Certain Employees of the District of Columbia Under the District of Columbia Courts and Justice Technical Corrections Act of 1998 | 3206-AI55 |
| 3457 | Continuation of Eligibility for Certain Civil Service Benefits for Former Federal Employees of the Civilian Marksmanship Program | 3206-AJ55 |
| 3458 | Correction of Retirement Coverage Errors Under the Federal Erroneous Retirement Coverage Correction Act | 3206-AJ38 |
| 3459 | Retirement—General Administration | 3206-AI83 |
| 3460 | Retirement—FERS Basic Annuity | 3206-AE73 |
| 3461 | Retirement—Credit for Military Service | 3206-AG58 |
| 3462 | Retirement—Credit for Certain Government Service Performed Abroad | 3206-AK84 |
| 3463 | Retirement—FERS Elections of Coverage | 3206-AG96 |
| 3464 | Retirement Coverage and Service Credit Elections Available to Current and Former Nonappropriated Fund Employees | 3206-AJ72 |
| 3465 | Federal Employees' Health Benefits (FEHB) Program: Payment of Premiums for Periods of Leave Without Pay or Insufficient Pay | 3206-AG66 |
| 3466 | Training | 3206-AK46 |
| 3467 | Suspension of Peace Corps Eligibles' Enrollment in the Federal Employees Health Benefits (FEHB) Program | 3206-AK90 |
| 3468 | FEHB Coverage and Premiums for Active Duty Members of the Military | 3206-AK98 |
| 3469 | Implementation of Flexible Spending Accounts for Executive Branch Federal Employees Participating in the Federal Employees' Health Benefits Program | 3206-AJ66 |
| 3470 | Federal Employee Dental and Vision Benefits | 3206-AL03 |
| 3471 | Programs for Specific Positions and Examinations (Miscellaneous) | 3206-AK86 |
| 3472 | Federal Executive Boards | 3206-AJ68 |
| 3473 | National Security Personnel System | 3206-AK76 |
| 3474 | Veterans' Preference | 3206-AL00 |

OPM

Office of Personnel Management—Long-Term Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 3475 | Retirement Coverage of Air Traffic Controllers | 3206-AK73 |
| 3476 | General and Miscellaneous | 3206-AJ97 |

Office of Personnel Management—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 3477 | Excepted Service — Temporary Organizations | 3206-AJ70 |
| 3478 | Amendment to Selective Service Registration Requirements | 3206-AI52 |
| 3479 | Veterans Recruitment Appointments | 3206-AJ90 |
| 3480 | Examining System | 3206-AK35 |
| 3481 | Training | 3206-AJ19 |
| 3482 | General Schedule Locality Pay Areas | 3206-AK78 |
| 3483 | Prevailing Rate Systems; Environmental Differential Pay for Asbestos Exposure | 3206-AK64 |
| 3484 | Prevailing Rate Systems; Redefinition of the Central North Carolina Appropriated Fund Wage Area | 3206-AK83 |
| 3485 | Prevailing Rate Systems; Redefinition of the Adams-Denver, CO, Nonappropriated Fund Wage Area | 3206-AK91 |
| 3486 | Prevailing Rate Systems; Change in the Survey Cycle for the Harrison, Mississippi, Nonappropriated Fund Federal Wage System Wage Area | 3206-AK96 |
| 3487 | Federal Long-Term Care Insurance Regulations | 3206-AJ71 |
| 3488 | Federal Employees Health Benefits Program: Discontinuance of Health Plan in a National Emergency | 3206-AK92 |
| 3489 | Solicitation of Federal Civilian and Uniformed Service Personnel for Contributions to Private Voluntary Organizations—Antiterrorism Certification | 3206-AK71 |
| 3490 | Federal Employees' Health Benefits Acquisition Regulation: Large Provider Agreements, Subcontracts, and Miscellaneous Changes | 3206-AJ20 |

Office of Personnel Management (OPM)

Proposed Rule Stage

3399. AGENCY AUTHORITY TO TAKE PERSONNEL ACTIONS IN A NATIONAL EMERGENCY

Priority: Other Significant

Legal Authority: 5 USC 1302; 5 USC 3301; 5 USC 3302

CFR Citation: 5 CFR 230

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing regulations pertaining to agency hiring flexibilities available during national emergency periods.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 06/00/06 | |
| Final Action | 10/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Pam Galemore, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0960
Fax: 202 606-2329
Email: pamelagalemore@opm.gov

RIN: 3206-AK65

3400. ENTERPRISE HUMAN RESOURCE INTEGRATION (EHRI)

Priority: Other Significant

Legal Authority: 5 USC 2951

CFR Citation: 5 CFR 293

Legal Deadline: None

Abstract: To support the goals of EHRI, the Office of Personnel Management will make regulatory changes to allow the electronic processing, maintenance, and storage of Federal employee personnel files.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 06/00/06 | |
| Final Action | 10/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Eric Bryant, Personnel Systems Group, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-2463
Email: eric.bryant@opm.gov

RIN: 3206-AK40

3401. FREEDOM OF INFORMATION ACT (FOIA) REGULATIONS

Priority: Info./Admin./Other

Legal Authority: 5 USC 552

CFR Citation: 5 CFR 294

Legal Deadline: None

OPM

Proposed Rule Stage

Abstract: The Office of Personnel Management is issuing proposed regulations to revise the Agency's E-FOIA regulations. The revisions include incorporating the E-FOIA Act of 1996, the Agency reorganization of 2003 and to make plain language modifications.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|---------|
| NPRM | 10/00/06 | |
| NPRM Comment Period End | 12/00/06 | |
| Final Action | 04/00/07 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Mary Beth Smith-Toomey, Office of the Chief Information Officer, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415-7900
Phone: 202 606-8358
Fax: 202 418-3251
Email: mbtoomey@opm.gov

RIN: 3206-AK53

3402. PRIVACY ACT REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552

CFR Citation: 5 CFR 297

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing proposed regulations to revise the Agency's Privacy Act regulations. The revisions include incorporating the Agency reorganization of 2003 and to make plain language modifications.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|---------|
| NPRM Comment Period End | 06/00/06 | |
| NPRM | 10/00/06 | |
| Final Action | 04/00/07 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Mary Beth Smith-Toomey, Office of the Chief Information Officer, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415-7900
Phone: 202 606-8358
Fax: 202 418-3251

Email: mbtoomey@opm.gov

RIN: 3206-AK54

3403. EMPLOYMENT IN THE EXCEPTED SERVICE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 1302; 5 USC 3301; 5 USC 3302; 5 USC 8151; EO 10577

CFR Citation: 5 CFR 302

Legal Deadline: None

Abstract: The revised regulations will make it easier for agencies to understand how to run the excepted service employment system, so they can create better and more efficient employment procedures.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Christina Vay, Division of Strategic Human Resources, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415
Phone: 202 606-0960
Email: christina.vay@opm.gov

RIN: 3206-AH83

3404. HUMAN RESOURCES MANAGEMENT IN AGENCIES

Priority: Other Significant

Legal Authority: PL 107-296

CFR Citation: 5 CFR 250

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) is issuing proposed regulations to implement the requirement in Public Law 107-296, section 1304 for OPM to design a set of systems for assessing human capital management by Federal agencies. These regulations describe the framework for these systems, including the metrics that agencies will use.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 06/00/06 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Chuck Grimes, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0960
Fax: 202 606-2548
Email: chuck.grimes@opm.gov

RIN: 3206-AJ92

3405. MERIT PROMOTION AND INTERNAL PLACEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 3301; 5 USC 3302

CFR Citation: 5 CFR 316; 5 CFR 335

Legal Deadline: None

Abstract: In an effort to provide agencies with greater flexibility and to clarify existing flexibility, the Office of Personnel Management is proposing to revise the regulations covering merit promotion and internal placement. These regulations will provide a framework within which agencies may develop merit-based programs for internal selections.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 04/07/05 | 70 FR 17610 |
| NPRM Comment Period End | 05/09/05 | |
| NPRM | 09/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Pam Galemore, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0960
Fax: 202 606-2329
Email: pamela.galemore@opm.gov

RIN: 3206-AI20

3406. OTHER THAN FULL-TIME EMPLOYMENT (PART-TIME, SEASONAL, AND INTERMITTENT)

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 3301

CFR Citation: 5 CFR 340; 5 CFR 110

Legal Deadline: None

Abstract: These proposed regulations will grant agencies and employees more

OPM

Proposed Rule Stage

flexibility by clarifying agency authority to schedule part-time employees on a pay period, rather than weekly basis; defines job sharing; and modifies seasonal employment, and includes plain language changes.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 10/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Pam Galemore, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0960
Fax: 202 606-2329
Email: pamela.galemore@opm.gov

RIN: 3206-AI22**3407. REEMPLOYMENT RIGHTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 3582; 5 USC 3301; PL 103-296**CFR Citation:** 5 CFR 352**Legal Deadline:** None

Abstract: The Office of Personnel Management proposes regulations to update provisions to conform to law allowing employees assigned to international organizations under certain conditions to maintain FERS and FICA retirement coverage. The current regulations require updates because they mention only CSRS retirement.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 10/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Sharon Ginley, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0960
Email: sharon.ginley@opm.gov

RIN: 3206-AI19**3408. TRAINING AND EXECUTIVE, MANAGEMENT, AND SUPERVISORY DEVELOPMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 41**CFR Citation:** 5 CFR 410**Legal Deadline:** None

Abstract: The Office of Personnel Management proposes to amend parts 410 and 412 to implement training and development requirements contained in the Workforce Flexibilities Act of 2004 (Pub. L. 108-411). The proposed amendment establishes an annual requirement for agencies to evaluate training programs and plans, and modify these programs and plans to accomplish agency performance plans and strategic goals; outlines an employee development continuum for supervisors, managers, and executives; provides a framework for agencies to develop a comprehensive management succession training program; and specifies specific training that agencies will provide to managers. This proposed amendment also removes language that is redundant or contradictory to the statutory change.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Loretta Reeves, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-2410
Fax: 202 606-0390
Email: llreeves@opm.gov

RIN: 3206-AK75**3409. CRITICAL POSITION PAY AUTHORITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5377**CFR Citation:** 5 CFR 535**Legal Deadline:** None

Abstract: The Office of Personnel Management plans to issue proposed regulations with request for comments in 2007 to implement a provision of the Federal Workforce Flexibility Act

of 2004 that shifts responsibility for the critical position pay authority from the Office of Management and Budget to the Office of Personnel Management.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| NPRM | 11/00/06 | |
| NPRM Comment Period End | 01/00/07 | |
| Final Action | 06/00/07 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Joe Ratcliffe, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
Phone: 202 606-2838
Email: jhratcli@opm.gov

RIN: 3206-AK87**3410. REPAYMENT OF STUDENT LOANS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5379**CFR Citation:** 5 CFR 537**Legal Deadline:** None

Abstract: The Office of Personnel Management proposes to revise the rules implementing 5 U.S.C. 5379, which permits agencies to provide student loan repayment benefits to candidates for Federal jobs or current Federal employees when necessary to recruit and retain highly qualified personnel. Except as otherwise stated in the supplementary information, the purpose of the revisions is to make part 537 more readable.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Vicki Draper, Division of Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-2858
Fax: 202 606-0824
Email: pay-performance-policy@opm.gov

RIN: 3206-AK51

OPM

Proposed Rule Stage

3411. PAY ADMINISTRATION; AVAILABILITY PAY FOR CRIMINAL INVESTIGATORS**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5545(h); 5 USC 5548**CFR Citation:** 5 CFR 550**Legal Deadline:** None

Abstract: These proposed regulations will clarify a number of issues relating to the administration of availability pay, a form of premium pay for criminal investigators who are required to work, or be available to work, substantial amounts of unscheduled overtime duty based on the needs of the employing agency.

Timetable:

| Action | Date | FR Cite |
|---------------------------|----------|-------------|
| Interim Final Rule | 12/23/94 | 59 FR 66149 |
| Second Interim Final Rule | 01/29/99 | 64 FR 4517 |
| NPRM | 12/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Vicki Draper, Division of Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-2858
Fax: 202 606-0824
Email: pay-performance-policy@opm.gov

RIN: 3206-AJ49**3412. PAY ADMINISTRATION UNDER THE FAIR LABOR STANDARDS ACT****Priority:** Substantive, Nonsignificant**Legal Authority:** 29 USC 201 et seq.**CFR Citation:** 5 CFR 551**Legal Deadline:** None

Abstract: The Office of Personnel Management (OPM) proposes to revise the regulations issued under the Fair Labor Standards Act of 1938, as amended, to update and harmonize OPM's regulations with revisions made to the Department of Labor's regulations (29 CFR part 541) on the same issue. These regulations apply to all employees in agencies who are under OPM's jurisdiction for FLSA purposes.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 06/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Georgeanna Emery, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415
Phone: 202 606-7977
Email: georgeanna.emery@opm.gov

RIN: 3206-AK89**3413. REEMPLOYMENT OF CIVILIAN RETIREES TO MEET EXCEPTIONAL EMPLOYMENT NEEDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8344; 5 USC 8468**CFR Citation:** 5 CFR 553**Legal Deadline:** None

Abstract: The Office of Personnel Management (OPM) is issuing proposed regulations to amend the criteria under which OPM may grant dual compensation (salary-offset) waivers on a case-by-case basis, or delegate waiver authority to agencies. This amendment clarifies that OPM may grant or delegate to agencies the authority to grant such waivers in situations resulting from emergencies posing an immediate and direct threat to life or property or situations resulting from certain unusual circumstances that do not involve an emergency. For example, such unusual circumstances may be the need to recruit or retain mentors to train less experienced employees to provide continuity for mission-critical activities. The proposed changes will make it easier for agencies to reemploy or retain needed individuals when faced with either of these situations.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 10/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Janice Warren, Division for Strategic Human

Resources, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-3590
Email: janice.warren@opm.gov

RIN: 3206-AI32**3414. • NONFOREIGN AREA COST-OF-LIVING ALLOWANCES: 2005 SURVEY RATE CHANGES****Priority:** Routine and Frequent**Legal Authority:** 5 USC 5941**CFR Citation:** 5 CFR 591**Legal Deadline:** None

Abstract: The Office of Personnel Management (OPM) sets nonforeign area cost-of-living allowance (COLA) rates for certain Federal employees in Alaska, Hawaii, Guam, and the Commonwealth of the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands. OPM will issue regulations on COLA rate changes in Puerto Rico and the U.S. Virgin Islands based on the results of living-cost surveys conducted in 2005.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 06/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Donald L. Paquin, Human Resources and Systems Service, Office of Compensation Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-2838
Email: cola@opm.gov

RIN: 3206-AK97**3415. SUITABILITY****Priority:** Other Significant**Legal Authority:** 5 USC 1302; 5 USC 3301; 5 USC 7301; 5 USC 7701; EO 12731; 3 CFR; 5 CFR**CFR Citation:** 5 CFR 731**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing revised regulations that will serve to improve the readability of the existing regulatory language, to codify existing policies, and to address several issues that have arisen in recent years.

OPM

Proposed Rule Stage

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 04/00/06 | |
| Final Action | 07/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Mark Pekrul, Federal Investigative Services Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-1622
Fax: 202 606-2372
Email: mark.pekrul@opm.gov

RIN: 3206-AK69**3416. NATIONAL SECURITY INVESTIGATIONS****Priority:** Other Significant**Legal Authority:** 5 USC 3301; 5 USC 3302; 5 USC 7312; 50 USC 403; EO 10450; EO 10577**CFR Citation:** 5 CFR 732**Legal Deadline:** None

Abstract: Certain policies and procedures enunciated in other formats are being considered for publication in the CFR. Additionally, the Office of Personnel Management is issuing revised regulations with the intent that they further enhance the readability of the existing regulatory language and codify existing policies.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|-------------|
| Interim Final Rule | 04/23/91 | 56 FR 18650 |
| Interim Final Rule | 09/16/94 | 59 FR 47527 |
| Interim Final Rule | 10/17/94 | |
| Effective Date | | |
| NPRM | 08/00/06 | |
| Final Action | 10/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Mark Pekrul, Federal Investigative Services Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-1622
Fax: 202 606-2372
Email: mark.pekrul@opm.gov

RIN: 3206-AC21**3417. INVESTIGATIONS****Priority:** Other Significant**Legal Authority:** PL 93-579; 5 USC 552a**CFR Citation:** 5 CFR 736**Legal Deadline:** None

Abstract: Certain policies and procedures previously enunciated in other formats are being considered for publication in the CFR. Additionally, the Office of Personnel Management is issuing revised regulations with the intent that they further enhance the readability of the existing regulatory language and codify existing policies.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|-------------|
| Interim Final Rule | 04/23/91 | 56 FR 18650 |
| Begin Review | 10/01/93 | |
| Interim Final Rule | 09/16/94 | 59 FR 47527 |
| NPRM | 08/00/06 | |
| Final Action | 10/00/06 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Mark Pekrul, Federal Investigative Services Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-1622
Fax: 202 606-2372
Email: mark.pekrul@opm.gov

RIN: 3206-AB92**3418. RETIREMENT—COURT ORDERS AWARDING SURVIVOR ANNUITIES; CORRECTING OR SUPPLEMENTING THE FIRST ORDER DIVIDING MARITAL PROPERTY****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8347; 5 USC 8461**CFR Citation:** 5 CFR 838**Legal Deadline:** None

Abstract: These regulations would establish standards for determining which supplemental or correcting court orders are not “modifications” and the procedures applicable to such orders. They also provide for the continuation of the former spouse’s survivor coverage and the reduction in the retiree’s annuity until the State court decides the extent of the former spouse’s rights to retirement benefits.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 09/00/06 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: John Panagakos, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0299
Email: combox@opm.gov

RIN: 3206-AG28**3419. FEDERAL EMPLOYEES’ GROUP LIFE INSURANCE (FGLI) PROGRAM: EXPANDED OPPORTUNITIES TO ELECT COVERAGE, MISCELLANEOUS CHANGES AND CLARIFICATIONS, AND PLAIN LANGUAGE REWRITE****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8716**CFR Citation:** 5 CFR 870**Legal Deadline:** None

Abstract: These regulations increase the opportunities for employees to elect coverage. They also include changes to FGLI regulations that clarify procedures for signing and witnessing designations of beneficiary, accepting designations of beneficiary by facsimile, accepting DNA evidence to establish paternity, etc. They also change the time frame for electing optional insurance when first eligible from 31 days to 60 days and add information on basic insurance for certain Department of Defense employees under Public Law 106-398.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|-------------|
| NPRM | 10/27/00 | 65 FR 64530 |
| NPRM | 12/00/06 | |
| Final Action | 12/00/07 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Anne Easton, Retirement and Insurance Services, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0004
Fax: 202 606-0633

RIN: 3206-AG63

OPM

Proposed Rule Stage

3420. • FEDERAL LONG-TERM CARE INSURANCE PROGRAM: MISCELLANEOUS CHANGES, CORRECTIONS, AND CLARIFICATIONS**Priority:** Other Significant**Legal Authority:** 5 USC 9008**CFR Citation:** 5 CFR 875**Legal Deadline:** None

Abstract: The Office of Personnel Management (OPM) is issuing proposed regulations to amend the Federal Long Term Care Insurance Program (FLTCIP) regulations. The proposed regulations will make miscellaneous changes, corrections, and clarifications to the FLTCIP regulations.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 06/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Anne Easton, Retirement and Insurance Services, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0004
Fax: 202 606-0633

RIN: 3206-AK99**3421. FEDERAL EMPLOYEES' HEALTH BENEFITS (FEHB) PROGRAM: WAIVER OF REQUIREMENTS FOR CONTINUED COVERAGE DURING RETIREMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8913**CFR Citation:** 5 CFR 890**Legal Deadline:** None

Abstract: Under 5 U.S.C. 8905(b), OPM may waive the eligibility requirements for health benefits coverage as an annuitant for an individual when, in its sole discretion, it determines that it would be against equity and good conscience not to allow a person to be enrolled in the FEHB Program as an annuitant. Under 5 CFR 890.108, an individual's failure to satisfy eligibility requirements must be due to exceptional circumstances. 5 CFR 890.108 also lists specific situations where a waiver will not be granted by OPM such as when an individual's retirement is based on a disability or

an involuntary separation, or when an individual was misadvised by his/her employing office. This interim regulation eliminates these specific situations from 5 CFR 890.108 to provide more flexibility to the waiver process.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 06/00/06 | |
| Final Action | 12/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Michael W. Kaszynski, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0004
Email: michael.kaszynski@opm.gov
RIN: 3206-AI62

3422. • FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM: DISCONTINUANCE OF HEALTH PLAN IN AN EMERGENCY**Priority:** Other Significant**Legal Authority:** 5 USC 8913**CFR Citation:** 5 CFR 890**Legal Deadline:** None

Abstract: The Office of Personnel Management (OPM) is issuing a proposed rule to amend the Federal Employees Health Benefits (FEHB) regulations regarding discontinuance of a health plan to include situations in which a health plan becomes incapacitated, either temporarily or permanently, as the result of a disaster.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 03/07/06 | 71 FR 11287 |
| NPRM Comment Period End | 05/08/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Anne Easton, Retirement and Insurance Services, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0004
Fax: 202 606-0633

RIN: 3206-AK95**3423. PROCEDURES FOR STATES AND LOCALITIES TO REQUEST INDEMNIFICATION****Priority:** Other Significant**Legal Authority:** Title VIII; PL 99-169; 5 USC 9101**CFR Citation:** 5 CFR 911**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing a plain language rewrite of the regulation. The revised regulation will also revise the part to comply with 5 U.S.C. 9101 (Pub. L. 99-169), as amended.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 06/00/06 | |
| Final Action | 08/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Mark Pekrul, Federal Investigative Services Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-1622
Fax: 202 606-2372
Email: mark.pekrul@opm.gov
RIN: 3206-AK68

3424. SOLICITATION OF FEDERAL CIVILIAN AND UNIFORMED SERVICE PERSONNEL FOR CONTRIBUTIONS TO PRIVATE VOLUNTARY ORGANIZATIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** EO 12353**CFR Citation:** 5 CFR 950**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing proposed changes in eligibility requirements and public accountability standards regulations for the Combined Federal Campaign (CFC) and other administrative changes to several parts of the regulations.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|---------|
| NPRM | 06/00/06 | |
| NPRM Comment Period End | 07/00/06 | |
| Final Action | 10/00/06 | |

Regulatory Flexibility Analysis Required: No

OPM

Proposed Rule Stage

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Mark W. Lambert, Senior Compliance Officer for CFC Operations, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-2564
Fax: 202 606-0902
Email: cfc@opm.gov

RIN: 3206-AK79

3425. • INTERNAL REVENUE SERVICE BROADBANDING SYSTEMS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 5 USC 9509(b)

CFR Citation: 5 CFR 9501

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) is issuing proposed regulations to revise the criteria for Internal Revenue Service (IRS) broadbanding systems. The proposed regulations would provide the Department of the Treasury with the flexibility, in coordination with OPM, to establish broader pay bands for IRS broadbanding systems. The proposed regulations would also require pay adjustments under IRS broadbanding systems to be based on individual employee performance. The proposed regulations would also revise the

criteria consistent with the changes in the General Schedule pay administration rules made by the Federal Workforce Flexibility Act of 2004 and implementing regulations.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 06/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jeanne D. Jacobson, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-2858
Fax: 202 606-0824
Email: pay-performance-policy@opm.gov

RIN: 3206-AL02

3426. • SENIOR EXECUTIVE SERVICE PAY

Priority: Other Significant

Legal Authority: 5 USC 1104

CFR Citation: 5 CFR 534

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing proposed regulations to provide agencies with the

authority to increase the rates of basic pay of certain members of the SES whose pay was set before the agency's senior executive performance appraisal system was certified for the calendar year involved. The proposed regulations would allow an agency to review the rate of basic pay of these senior executive service (SES) members and provide an additional pay increase, if warranted, up to the rate for level II of the Executive Schedule upon certification of the agency's senior executive performance appraisal system for the current calendar year.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 03/03/06 | 71 FR 10913 |
| NPRM Comment Period End | 04/03/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jo Ann Perrini, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-2858
Fax: 202 606-0824
Email: pay-performance-policy@opm.gov

RIN: 3206-AL01

Office of Personnel Management (OPM)

Final Rule Stage

3427. OPM EMPLOYEE RESPONSIBILITIES AND CONDUCT

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552a; 5 USC 7301

CFR Citation: 5 CFR 1001

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) is issuing a plain language rewrite of its regulations regarding the standards that govern OPM employees' responsibilities and conduct as part of a broader review of OPM's regulations. The purpose of the revisions is to make the regulations more readable.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|-------------|
| NPRM | 11/20/02 | 67 FR 70029 |
| Final Action | 06/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Wade Plunkett, Office of the General Counsel, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-1700

RIN: 3206-AJ69

3428. EXCEPTED SERVICE—NEW FREEDOM APPOINTMENT OF PERSONS WITH DISABILITIES AND CAREER AND CAREER-CONDITIONAL EMPLOYMENT

Priority: Other Significant

Legal Authority: 5 USC 3161; 5 USC 3301; 5 USC 3302; EO 10577; ...

CFR Citation: 5 CFR 213

Legal Deadline: None

Abstract: The final regulations make the hiring authority more flexible. Agencies may accept proof of the disability from an expanded number of entities; clarifies the temporary appointment options; clarifies the distinction between proof of disability and certification of likely job success;

OPM

Final Rule Stage

and consolidates the three separate appointing authorities (Schedule A 213.3102(t), (u) and (gg)) under one appointing authority (Schedule A 213.3102(u)).

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|------------|
| NPRM | 01/11/05 | 70 FR 1833 |
| NPRM Comment Period End | 03/14/05 | |
| Final Action | 10/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Dede Dessommes, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0830
Email: dede.dessommes@opm.gov

RIN: 3206-AK58

3429. EXCEPTED SERVICE—STUDENT PROGRAM

Priority: Other Significant

Legal Authority: 5 USC 3301

CFR Citation: 5 CFR 213

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing proposed regulations to allow certain job-related experience acquired in a structured work-study program to be credited under the Student Career Experience Program. The proposed change would permit agencies to credit a student's job-related work-study experience toward the minimum requirement for conversion to a permanent appointment under the Program.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 03/16/05 | 70 FR 12812 |
| NPRM Comment Period End | 05/16/05 | |
| Final Action | 06/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Hakeem Basheerud-Deen, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415

Phone: 202 606-0380
Email: hakeem.basheerud-deen@opm.gov

RIN: 3206-AK59

3430. PERSONNEL MANAGEMENT IN AGENCIES—EMPLOYEE SURVEYS

Priority: Other Significant

Legal Authority: 5 USC 1101; 5 USC 1104; 5 USC 1302

CFR Citation: 5 CFR 250

Legal Deadline: None

Abstract: The Office of Personnel Management is proposing regulations concerning employee surveys required by the National Defense Authorization Act for Fiscal Year 2004. The regulations will add a new part to the Code of Federal Regulations (CFR) part 250, Personnel Management in Agencies; a new subpart C on Employee Surveys, which requires agencies to conduct an annual survey of their employees. In addition, the proposed regulations provide a list of questions that must appear in each agency's survey.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|-------------|
| NPRM | 09/16/05 | 70 FR 54658 |
| Final Action | 06/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Hakeem Basheerud-Deen, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0380
Email: hakeem.basheerud-deen@opm.gov

Related RIN: Related to 3206-AJ92

RIN: 3206-AK77

3431. CHANGES IN PAY ADMINISTRATION RULES FOR GENERAL SCHEDULE EMPLOYEES

Priority: Other Significant

Legal Authority: Section 301 of Public Law 108-411; 5 USC 3596; 5 USC 5305; 5 USC 5304; ...

CFR Citation: 5 CFR 294; 5 CFR 359; 5 CFR 362; 5 CFR 451; ...

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing final regulations to implement a provision of the Federal Workforce Flexibility Act of 2004 that amends the rules governing pay setting for employees covered by the General Schedule. In particular, we are revising provisions related to special rates, locality rates, and retained rates. The statutory and regulatory changes are designed to correct a variety of pay administration anomalies that resulted in unfair pay reductions or unwarranted pay increases, to allow locality rates and special rates to be treated in similar ways, and to improve the operation of the special rates program.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|-------------|
| Interim Final Rule | 05/31/05 | 70 FR 31278 |
| Correction | 12/19/05 | 70 FR 74995 |
| Final Action | 12/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Bryce Baker, Strategic Human Resources Policy Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-2858
Fax: 202 606-0824
Email: payleave@opm.gov

RIN: 3206-AK88

3432. REASONABLE ACCOMMODATION LANGUAGE FOR VACANCY ANNOUNCEMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 1302; 5 USC 3301; 5 USC 3302; 5 USC 3304(f); 5 USC 3327; ...

CFR Citation: 5 CFR 302; 5 CFR 317; 5 CFR 330; 5 CFR 333; 5 CFR 335

Legal Deadline: None

Abstract: The Office of Personnel Management is publishing interim regulations requiring a reasonable accommodation statement in agency vacancy announcements.

Timetable:

| Action | Date | FR Cite |
|------------------------------|----------|-------------|
| Interim Final Rule | 12/11/01 | 66 FR 63905 |
| Interim Final Rule Effective | 01/10/02 | |
| Final Action | 06/00/06 | |

OPM

Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Linda Watson,
Division for Strategic Human Resources
Policy, Office of Personnel
Management, 1900 E Street NW,
Washington, DC 20415
Phone: 202 606-0830
Fax: 202 606-0390
Email: linda.watson@opm.gov

RIN: 3206-AJ11**3433. RECRUITMENT AND SELECTION THROUGH COMPETITIVE EXAMINATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 3301; 5 USC 3302**CFR Citation:** 5 CFR 332**Legal Deadline:** None

Abstract: OPM is issuing an interim regulation to allow agencies to decide how candidates are referred for competitive appointment when agencies fill multiple vacancies simultaneously. We are codifying a long-standing practice (5 U.S.C. 3301 and 5 U.S.C. 3302) of providing agencies with the option of either certifying a candidate for only one vacancy at a time, or certifying a candidate simultaneously for all vacancies for which that candidate expresses an interest, is eligible, and is within reach.

Timetable:

| Action | Date | FR Cite |
|------------------------------|----------|------------|
| Interim Final Rule | 02/15/02 | 67 FR 7055 |
| Interim Final Rule Effective | 02/15/02 | |
| Final Action | 10/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Linda Watson,
Division for Strategic Human Resources
Policy, Office of Personnel
Management, 1900 E Street NW,
Washington, DC 20415
Phone: 202 606-0830
Fax: 202 606-0390
Email: linda.watson@opm.gov

RIN: 3206-AJ52**3434. TEMPORARY ASSIGNMENT OF EMPLOYEES BETWEEN FEDERAL, STATE, LOCAL, AND INDIAN TRIBAL GOVERNMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 3376**CFR Citation:** 5 CFR 334**Legal Deadline:** None

Abstract: These regulations address the temporary assignment of employees to and from State and local governments, colleges, and universities, Indian tribal governments, and selected nonprofit organizations.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|-------------|
| NPRM | 08/22/03 | 68 FR 50726 |
| Final Action | 06/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Darlene Phelps,
Division for Strategic Human Resources
Policy, Office of Personnel
Management, 1900 E Street, NW,
Washington, DC 20415
Phone: 202 606-0830
Fax: 202 606-0390
Email: darlene.phelps@opm.gov

RIN: 3206-AJ94**3435. EXAMINING SYSTEM****Priority:** Other Significant**Legal Authority:** PL 108-136**CFR Citation:** 5 CFR 337**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing an interim regulation to amend its direct-hire authority regulations to allow non-Department of Defense agencies to recruit and appoint highly qualified individuals for certain Federal acquisition positions deemed as a shortage category under Public Law 108-136, title XIV, Services Acquisition Reform.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|-------------|
| Interim Final Rule | 08/04/05 | 70 FR 44847 |
| Final Action | 09/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Linda Watson,
Division for Strategic Human Resources
Policy, Office of Personnel
Management, 1900 E Street NW,
Washington, DC 20415
Phone: 202 606-0830
Fax: 202 606-0390
Email: linda.watson@opm.gov

RIN: 3206-AK85**3436. RESTORATION TO DUTY FROM UNIFORMED SERVICE OR COMPENSABLE INJURY; PAY RATES AND SYSTEMS (GEN.); PAY UNDER THE GEN. SCHEDULE; PAY ADMN.; BONUSES; ALLOWANCES; DIFFERENTIALS; DUTY HOURS; ABSENCE & LEAVE****Priority:** Other Significant**Legal Authority:** 38 USC 4301**CFR Citation:** 5 CFR 353; 5 CFR 530; 5 CFR 531; 5 CFR 550; 5 CFR 575; 5 CFR 610; 5 CFR 630**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing final regulations to revise the rules concerning compensatory time off for religious observance, hours of work and alternative work schedules, and absence and leave. In addition, the proposed regulations are being issued to aid and support the standardization of pay policies under the e-payroll initiative. The regulations have been rewritten and, in some instances, reordered to enhance reader understanding.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|------------|
| NPRM | 01/11/05 | 70 FR 1068 |
| NPRM Comment Period End | 03/07/05 | |
| Final Action | 12/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Sharon Dobson,
Office of Personnel Management,
Division for Strategic Human Resources
Policy, 1900 E St. NW, Washington, DC
20415
Phone: 202 606-2858
Fax: 202 606-0824
Email: pay-performance-policy@opm.gov

RIN: 3206-AK61

OPM

Final Rule Stage

3437. AWARDS**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 4506**CFR Citation:** 5 CFR 450, subpart C**Legal Deadline:** None**Abstract:** Regulations at 5 CFR 450, subpart C (new), implement provisions of Public Law 107-67 (5 U.S.C. 4507a) that extend eligibility for Presidential Rank Awards to certain senior level employees.**Timetable:**

| Action | Date | FR Cite |
|------------------------------|----------|-------------|
| Interim Final Rule | 08/13/02 | 67 FR 52595 |
| Interim Final Rule Effective | 09/12/02 | |
| Final Action | 06/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Karen English, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-2747
Fax: 202 606-1637
Email: karen.english@opm.gov**RIN:** 3206-AJ65**3438. CLASSIFICATION UNDER THE GENERAL SCHEDULE****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5112**CFR Citation:** 5 CFR 511, subpart F; 5 CFR 511, subpart G**Legal Deadline:** None**Abstract:** The general schedule classification regulations require updating to reflect current organizational nomenclature following a reorganization within OPM.**Timetable:**

| Action | Date | FR Cite |
|-------------------------|----------|------------|
| NPRM | 02/28/05 | 70 FR 9544 |
| NPRM Comment Period End | 04/29/05 | |
| Final Action | 06/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Andrea J. Bright, Division for Strategic Human Resources Policy, Office of PersonnelManagement, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-3590
Email: ajbright@opm.gov**RIN:** 3206-AH38**3439. RECRUITMENT, RELOCATION, AND RETENTION BONUSES****Priority:** Other Significant**Legal Authority:** 5 USC 5307; 5 USC 5753; 5 USC 5754**CFR Citation:** 5 CFR 530; 5 CFR 575**Legal Deadline:** None**Abstract:** The Office of Personnel Management is issuing final regulations to implement a provision of the Federal Workforce Flexibility Act of 2004 that provides agencies with the authority to pay recruitment, relocation, and retention incentives to employees. The new authorities will provide agencies with additional flexibility to help recruit and retain employees and better meet agency strategic human capital needs. The new authorities replace the former recruitment and relocation bonus and retention allowance authorities that applied to General Schedule and other categories of Federal employees.**Timetable:**

| Action | Date | FR Cite |
|--------------------|----------|-------------|
| Interim Final Rule | 05/13/05 | 70 FR 25732 |
| Correction | 12/19/05 | 70 FR 74995 |
| Final Action | 12/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Jeanne D. Jacobson, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-2858
Fax: 202 606-0824
Email: pay-performance-policy@opm.gov**RIN:** 3206-AK81**3440. JOB GRADING REVIEWS AND APPEALS OF FEDERAL WAGE SYSTEM EMPLOYEES****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5346**CFR Citation:** 5 CFR 532, subpart G**Legal Deadline:** None**Abstract:** The job grading reviews and appeals regulations require updating to reflect current organizational nomenclature following a reorganization within OPM.**Timetable:**

| Action | Date | FR Cite |
|--------------------|----------|---------|
| Interim Final Rule | 06/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Andrea J. Bright, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-3590
Email: ajbright@opm.gov**RIN:** 3206-AI14**3441. • PREVAILING RATE SYSTEMS; NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM BASED FEDERAL WAGE SYSTEM WAGE SURVEYS****Priority:** Other Significant**Legal Authority:** 5 USC 5343**CFR Citation:** 5 CFR 532**Legal Deadline:** None**Abstract:** The Office of Personnel Management is issuing a final rule to replace the Standard Industrial Classification codes currently used in Federal Wage System (FWS) regulations with the more recent North American Industry Classification System (NAICS), published by the Office of Management and Budget. The purpose of this change is to update the FWS wage survey industry regulations by adopting the new NAICS system.**Timetable:**

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 11/16/05 | 70 FR 69467 |
| NPRM Comment Period End | 12/16/05 | |
| Final Action | 06/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Madeline Gonzalez, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-2858

OPM

Final Rule Stage

Email: pay-performance-policy@opm.gov

RIN: 3206-AK94

3442. PRETAX ALLOTMENTS FOR FLEXIBLE SPENDING ACCOUNTS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 5527; EO 10982; 3 CFR, 1959-1963 Comp, p. 263

CFR Citation: 5 CFR 550

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing interim regulations to enable employees to set up allotments to contribute to pretax accounts, such as flexible spending accounts and health care accounts.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|---------|
| Interim Final Rule | 06/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Brenda Roberts, Human Resources Systems Service, Office of Compensation Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-2858

RIN: 3206-AJ88

3443. PAY ADMINISTRATION (GENERAL)

Priority: Other Significant

Legal Authority: 5 USC 5550b

CFR Citation: 5 CFR 550

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing interim regulations to implement a provision of the Federal Workforce Flexibility Act of 2004, which establishes a new form of compensatory time off for time spent by an employee in a travel status away from the employee's official duty station when such time is not otherwise compensable.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|------------|
| Interim Final Rule | 01/27/05 | 70 FR 3855 |
| Final Action | 12/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Vicki Draper, Division of Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-2858
Fax: 202 606-0824
Email: pay-performance-policy@opm.gov

RIN: 3206-AK74

3444. NONFOREIGN AREA COST-OF-LIVING ALLOWANCES; RATE CHANGES

Priority: Other Significant

Legal Authority: 5 USC 5941

CFR Citation: 5 CFR 591

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) sets nonforeign area cost-of-living allowance (COLA) rates for certain Federal employees in Alaska, Hawaii, Guam, and the Commonwealth of the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands. OPM will issue regulations to change COLA rates in these areas based on the results of living-cost surveys OPM conducted in 2003, 2004, and 2005.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|-------------|
| NPRM | 08/04/05 | 70 FR 44976 |
| Final Action | 06/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Donald L. Paquin, Human Resources and Systems Service, Office of Compensation Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-2838
Email: cola@opm.gov

RIN: 3206-AK67

3445. ABSENCE AND LEAVE—SES ANNUAL LEAVE

Priority: Other Significant

Legal Authority: 5 USC 6311

CFR Citation: 5 CFR 630

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing interim regulations to implement a provision of the Federal Workforce Flexibility Act of 2004 that provides a higher annual leave accrual rate of 1 day (8 hours) per biweekly pay period for members of the Senior Executive Service, employees in senior-level and scientific or professional positions, and other employees covered by equivalent pay systems as determined by the Office of Personnel Management.

Timetable:

| Action | Date | FR Cite |
|------------------------------|----------|-------------|
| Interim Final Rule | 03/21/05 | 70 FR 13343 |
| Interim Final Rule Effective | 03/21/05 | |
| Final Action | 12/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sharon Dobson, Office of Personnel Management, Division for Strategic Human Resources Policy, 1900 E St. NW, Washington, DC 20415

Phone: 202 606-2858

Fax: 202 606-0824

Email: pay-performance-policy@opm.gov

RIN: 3206-AK72

3446. ABSENCE AND LEAVE—CREDITABLE SERVICE

Priority: Other Significant

Legal Authority: 5 USC 6311

CFR Citation: 5 CFR 630

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing final regulations to implement a provision of the Federal Workforce Flexibility Act of 2004 that provides an agency with the authority to grant a newly appointed or reappointed employee credit for prior work experience that otherwise would not be creditable for the purpose of determining the employee's annual leave accrual rate.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|-------------|
| Interim Final Rule | 04/29/05 | 70 FR 22245 |
| Final Action | 12/00/06 | |

Regulatory Flexibility Analysis

Required: No

OPM

Final Rule Stage

Small Entities Affected: No**Government Levels Affected:** None**Agency Contact:** Sharon Dobson,
Office of Personnel Management,
Division for Strategic Human Resources
Policy, 1900 E St. NW, Washington, DC
20415

Phone: 202 606-2858

Fax: 202 606-0824

Email: pay-performance-
policy@opm.gov**RIN:** 3206-AK80**3447. • ABSENCE AND LEAVE; USE
OF RESTORED ANNUAL LEAVE****Priority:** Other Significant**Legal Authority:** 5 USC 6311**CFR Citation:** 630**Legal Deadline:** None**Abstract:** The Office of Personnel Management is issuing interim regulations to assist Federal employees who otherwise would be forced to forfeit their excess annual leave because their services were required in response to a severe emergency situation, as declared by the head of the agency. Under these regulations, the excess annual leave will be deemed to have been scheduled in advance and will be restored to the employee.**Timetable:**

| Action | Date | FR Cite |
|---|----------|---------|
| Interim Final Rule | 06/00/06 | |
| Interim Final Rule Comment Period End | 08/00/06 | |

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Donald J. Winstead,
Division for Strategic Human Resources
Policy, Office of Personnel
Management, 1900 E Street NW,
Washington, DC 20415

Phone: 202 606-2880

Email: pay-performance-
policy@opm.gov**RIN:** 3206-AK93**3448. IMPLEMENTATION OF TITLE II
OF THE NOTIFICATION AND
FEDERAL EMPLOYEE
ANTIDISCRIMINATION AND
RETALIATION ACT OF 2002—
JUDGMENT FUND****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 107-174, sec 204;
Presidential Memorandum dated July 8,
2003**CFR Citation:** 5 CFR 724**Legal Deadline:** Final, Statutory,
October 1, 2003, Presidential
Memorandum dated July 8, 2003.
The President assigned the
responsibility to the Office of Personnel
Management to issue regulations
implementing title II of the Act by
October 1, 2003.**Abstract:** The Office of Personnel Management will issue final regulations that will implement title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002. The Act requires that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws. The regulations will prescribe the procedures for reimbursement of the Judgment Fund.**Timetable:**

| Action | Date | FR Cite |
|--------------------|----------|------------|
| Interim Final Rule | 01/22/04 | 69 FR 2997 |
| Final Action | 06/00/06 | |

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Gary D. Wahlert,
Human Resources System Service,
Family Programs and Employee
Relations Division, Office of Personnel
Management, 1900 E Street NW,
Washington, DC 20415

Phone: 202 606-2920

RIN: 3206-AJ93**3449. IMPLEMENTATION OF TITLE II
OF THE NOTIFICATION AND
FEDERAL EMPLOYEE
ANTIDISCRIMINATION AND
RETALIATION ACT OF 2002—
NOTIFICATION AND TRAINING****Priority:** Other Significant**Legal Authority:** PL 107-174, sec 204;
Presidential Memorandum dated July 8,
2003**CFR Citation:** 5 CFR 724**Legal Deadline:** None**Abstract:** The Office of Personnel Management will issue regulations that will implement title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002. The Act requires that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws. The regulations will clarify Federal agency notification and training requirements under the Act.**Timetable:**

| Action | Date | FR Cite |
|--------------|----------|------------|
| NPRM | 02/28/05 | 70 FR 9544 |
| Final Action | 07/00/06 | |

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Gary D. Wahlert,
Human Resources System Service,
Family Programs and Employee
Relations Division, Office of Personnel
Management, 1900 E Street NW,
Washington, DC 20415

Phone: 202 606-2920

RIN: 3206-AK38**3450. IMPLEMENTATION OF TITLE II
OF THE NOTIFICATION AND
FEDERAL EMPLOYEE
ANTIDISCRIMINATION AND
RETALIATION ACT OF 2002—
REPORTING AND BEST PRACTICES****Priority:** Other Significant**Legal Authority:** PL 107-174, sec 204;
Presidential Memorandum dated July 8,
2003**CFR Citation:** 5 CFR 724**Legal Deadline:** None**Abstract:** The Office of Personnel Management will issue regulations that will implement title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002. The Act requires that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws. The regulations will clarify Federal agency reporting requirements under the Act and address agency best practices regarding appropriate disciplinary actions against employees who violate antidiscrimination and whistleblower protection laws.

OPM

Final Rule Stage

Timetable:

| Action | Date | FR Cite |
|--------------|----------|------------|
| NPRM | 01/25/06 | 71 FR 4053 |
| Final Action | 09/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Gary D. Wahlert, Human Resources System Service, Family Programs and Employee Relations Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-2920

RIN: 3206-AK55**3451. NOTIFICATION OF POST-EMPLOYMENT RESTRICTIONS****Priority:** Other Significant**Legal Authority:** 5 USC 7302; PL 108-136, sec 1125(b)**CFR Citation:** 5 CFR 730**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing interim regulations requiring agencies to notify members of the Senior Executive Service (SES) and other employees in senior positions of certain post-employment conflict-of-interest restrictions. Agencies must provide written notification to affected employees of the new salary-based threshold for determining the applicability of the post-employment conflict-of-interest restrictions.

Timetable:

| Action | Date | FR Cite |
|------------------------------|----------|-------------|
| Interim Final Rule | 10/15/04 | 69 FR 61143 |
| Interim Final Rule Effective | 01/01/05 | |
| Final Action | 03/16/06 | 71 FR 13525 |
| Final Action Effective | 04/17/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Brenda Roberts, Human Resources Systems Service, Office of Compensation Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-2858

RIN: 3206-AK60**3452. EMPLOYEE RESPONSIBILITIES AND CONDUCT****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 7301; EO 12674, 3 CFR, 1989 Comp, p. 215, as modified by EO 12731; EO 12731, 3 CFR, 1989 Comp, p. 306**CFR Citation:** 5 CFR 735**Legal Deadline:** None

Abstract: The Office of Personnel Management (OPM) is issuing a plain language rewrite of its regulations regarding the standards that govern employee responsibilities and conduct as part of a broader review of OPM's regulations. The purpose of the revisions is to make the regulations more readable.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|------------|
| NPRM | 01/15/03 | 68 FR 1987 |
| Final Action | 06/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Wade Plunkett, Office of the General Counsel, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-1700

RIN: 3206-AJ74**3453. RETIREMENT; COVERAGE—NONAPPROPRIATED FUND INSTRUMENTALITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8347**CFR Citation:** 5 CFR 831; 5 CFR 837; 5 CFR 841 to 844; 5 CFR 847**Legal Deadline:** Final, Statutory, August 9, 1996.

Abstract: These regulations implement the provisions of Public Law 104-106 and Public Law 107-107, which allow employees who have been employed by nonappropriated fund instrumentalities under the jurisdiction of the armed forces to obtain retirement credit under limited circumstances.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|-------------|
| Interim Final Rule | 08/09/96 | 61 FR 41714 |
| Final Action | 09/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: James Giuseppe, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0299
Email: combox@opm.gov

Related RIN: Related to 3206-AJ72**RIN:** 3206-AH57**3454. RETIREMENT—STATE INCOME TAX WITHHOLDING INSTRUMENTALITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8345; 5 USC 8347; 5 USC 8461; 5 USC 8469**CFR Citation:** 5 CFR 831, subpart S; 5 CFR 841, subpart J**Legal Deadline:** None

Abstract: These regulations modify existing regulations to reflect changes designed to expand and streamline the process of withholding State income tax from CSRS and FERS annuities.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|-------------|
| NPRM | 06/23/99 | 64 FR 33429 |
| Final Action | 10/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Patricia A. Rochester, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0299
Email: combox@opm.gov

RIN: 3206-AH62**3455. COVERAGE FOR CERTAIN EMPLOYEES OF THE DISTRICT OF COLUMBIA****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8347(a); 5 USC 8361(g); PL 105-33, sec 11202(f); PL 105-33, 11232(e); PL 105-33, 11246(b); PL 106-522, sec 145**CFR Citation:** 5 CFR 831; 5 CFR 837; 5 CFR 842; 5 CFR 846; 5 CFR 870; 5 CFR 890**Legal Deadline:** None

Abstract: These regulations implement provisions of the National Capital

OPM

Final Rule Stage

Revitalization and Self-Government Improvement Act of 1997, which requires that nonjudicial employees of the District of Columbia Courts, and under certain conditions, the District of Columbia Corrections Trustee, and the District of Columbia Pretrial Services, Parole, Adult Probation and Offender Supervision Trustee and their respective employees be considered Federal employees for purposes of Federal retirement, health, and life insurance coverage.

Timetable:

| Action | Date | FR Cite |
|-----------------------|----------|-------------|
| Interim Final Rule | 09/30/97 | 62 FR 50995 |
| Interim Final Rule | 12/01/97 | |
| Comment Period End | | |
| Final Action | 10/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Cynthia Reinhold, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0299
Email: payleave@opm.gov

RIN: 3206-AI02

3456. RETIREMENT, HEALTH, AND LIFE INSURANCE COVERAGE FOR CERTAIN EMPLOYEES OF THE DISTRICT OF COLUMBIA UNDER THE DISTRICT OF COLUMBIA COURTS AND JUSTICE TECHNICAL CORRECTIONS ACT OF 1998

Priority: Substantive, Nonsignificant**Legal Authority:** PL 105-274**CFR Citation:** 5 CFR 831; 5 CFR 837; 5 CFR 842; 5 CFR 846; 5 CFR 870; 5 CFR 890**Legal Deadline:** None

Abstract: These interim regulations implement the District of Columbia Courts and Justice Technical Corrections Act of 1998. The effect of these regulations is to extend Federal retirement, health insurance, and life insurance coverage to employees of the Public Defender Service of the District of Columbia under section 7 of the Act, and to exclude certain former employees of the District of Columbia, who are hired by the Department of Justice or by the Court Services and Offender Supervision Agency, from

Federal retirement coverage if they elect, under section 3 of the Act, to continue their coverage under a retirement system for employees of the District of Columbia.

Timetable:

| Action | Date | FR Cite |
|-----------------------|----------|-------------|
| Interim Final Rule | 03/31/99 | 64 FR 15286 |
| Interim Final Rule | 06/29/99 | |
| Comment Period End | | |
| Final Action | 07/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Karla Yeakle, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0299
Email: combox@opm.gov

RIN: 3206-AI55

3457. CONTINUATION OF ELIGIBILITY FOR CERTAIN CIVIL SERVICE BENEFITS FOR FORMER FEDERAL EMPLOYEES OF THE CIVILIAN MARKSMANSHIP PROGRAM

Priority: Substantive, Nonsignificant**Legal Authority:** Sec 1622(b), PL 104-106, 110 Stat 515**CFR Citation:** 5 CFR 831; 5 CFR 842; 5 CFR 870; 5 CFR 890**Legal Deadline:** None

Abstract: These regulations describe conditions and procedures applicable to continuation of eligibility for certain Civil Service benefits for former Federal employees of the Civilian Marksmanship Program.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 06/03/02 | 67 FR 38210 |
| NPRM Comment Period End | 08/02/02 | |
| Final Action | 10/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Howard T. Newland Jr., Strategic Human Resources Policy Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415

Phone: 202 606-0299
Email: combox@opm.gov

RIN: 3206-AJ55

3458. CORRECTION OF RETIREMENT COVERAGE ERRORS UNDER THE FEDERAL ERRONEOUS RETIREMENT COVERAGE CORRECTION ACT

Priority: Substantive, Nonsignificant**Legal Authority:** PL 106-265**CFR Citation:** 5 CFR 839**Legal Deadline:** None

Abstract: The Office of Personnel Management is amending its regulations to include new rules for correcting certain retirement coverage errors. We are amending the regulations to implement the provisions of the Federal Erroneous Retirement Coverage Corrections Act (FERCCA), title II of Public Law 106-265. The regulations will allow agencies to correct affected coverage errors.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|-------------|
| Interim Final Rule | 03/19/01 | 66 FR 15605 |
| Interim Final Rule | 03/19/01 | |
| Effective | | |
| Final Action | 10/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Cynthia Reinhold, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0299
Email: payleave@opm.gov

RIN: 3206-AJ38

3459. RETIREMENT—GENERAL ADMINISTRATION

Priority: Substantive, Nonsignificant**Legal Authority:** 5 USC 8347**CFR Citation:** 5 CFR 841**Legal Deadline:** None

Abstract: These regulations would allow an agency to retain the individual retirement record when an employee transfers within the same agency even though the employee would be serviced by another intra-agency payroll.

OPM

Final Rule Stage

Timetable:

| Action | Date | FR Cite |
|------------------------------|----------|-------------|
| Interim Final Rule | 04/20/00 | 65 FR 21119 |
| Interim Final Rule Effective | 04/20/00 | |
| Final Action | 10/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: John Panagakos, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0299
Email: combox@opm.gov

RIN: 3206-AI83**3460. RETIREMENT—FERS BASIC ANNUITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8461**CFR Citation:** 5 CFR 842, subparts B to G**Legal Deadline:** None

Abstract: These final regulations will amend FERS Basic Annuity regulations governing Eligibility (subpart B), Credit for Service (subpart C), Computations (subpart F), and Alternative Forms of Annuity (subpart G). These regulations have been published at various times in interim final form, and have been affected by statutory changes.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|-------------|
| Interim Final Rule | 01/16/87 | 52 FR 2061 |
| Interim Final Rule | 01/16/87 | 52 FR 2067 |
| Interim Final Rule | 02/11/87 | 52 FR 4473 |
| Interim Final Rule | 02/11/87 | 52 FR 4479 |
| Interim Final Rule | 05/14/87 | 52 FR 18193 |
| Interim Final Rule | 04/08/88 | 53 FR 11635 |
| Interim Final Rule | 02/09/90 | 55 FR 4598 |
| Final Rule | 12/27/90 | 55 FR 53136 |
| Interim Final Rule | 02/19/91 | 56 FR 6549 |
| Final Action | 09/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Cynthia Reinhold, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0299

Email: payleave@opm.gov

RIN: 3206-AE73**3461. RETIREMENT—CREDIT FOR MILITARY SERVICE****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8347(a); 5 USC 8461(g); 38 USC 4331**CFR Citation:** 5 CFR 842.306; 5 CFR 842.307**Legal Deadline:** None

Abstract: These regulations implement changes in the treatment of certain military service under CSRS and FERS required under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| Final Action | 09/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Christopher H. Ziebarth, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0299
Email: combox@opm.gov

RIN: 3206-AG58**3462. RETIREMENT—CREDIT FOR CERTAIN GOVERNMENT SERVICE PERFORMED ABROAD****Priority:** Other Significant**Legal Authority:** PL 107-228, sec 321**CFR Citation:** 5 CFR 842**Legal Deadline:** None

Abstract: Section 321 of Public Law 107-228 requires OPM to issue regulations that will establish a process for making FERS retirement deposits by certain employees who performed service abroad. The regulations also provide a process for agencies to follow in making agency contributions payable to the retirement fund for such service.

Timetable:

| Action | Date | FR Cite |
|------------------------------|----------|-------------|
| Interim Final Rule | 08/29/05 | 70 FR 50951 |
| Interim Final Rule Effective | 08/29/05 | |
| Final Action | 09/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: James Giuseppe, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0299
Email: combox@opm.gov

RIN: 3206-AK84**3463. RETIREMENT—FERS ELECTIONS OF COVERAGE****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8347(a); 5 USC 8461(g); PL 99-335, sec 301(d)(3)**CFR Citation:** 5 CFR 846**Legal Deadline:** None

Abstract: These regulations implement title III of the Federal Employees Retirement System (FERS) Act of 1986, as amended, dealing with the election of FERS coverage by employees under the Civil Service Retirement System and certain other employees. The regulations contain regulatory and interpretative rules concerning employees' eligibility to elect FERS coverage, procedures for electing FERS coverage, and basic benefits based on the service for employees who elect FERS coverage.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|-------------|
| Interim Final Rule | 05/21/87 | 52 FR 19235 |
| Interim Final Rule | 09/13/93 | 58 FR 47821 |
| Interim Final Rule | 06/18/98 | 63 FR 33231 |
| Final Action | 09/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Cynthia Reinhold, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0299
Email: payleave@opm.gov

RIN: 3206-AG96

OPM

Final Rule Stage

3464. RETIREMENT COVERAGE AND SERVICE CREDIT ELECTIONS AVAILABLE TO CURRENT AND FORMER NONAPPROPRIATED FUND EMPLOYEES**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8347; 5 USC 8461; PL 107-107, sec 1131; PL 107-107, sec 1132**CFR Citation:** 5 CFR 847, subpart H; 5 CFR 847, subpart I**Legal Deadline:** None

Abstract: These regulations amend the Civil Service Retirement System (CSRS) and Federal Employees Retirement System (FERS) regulations to allow limited credit under CSRS and FERS for service performed for a Nonappropriated Fund Instrumentality (NAFI) of the Department of Defense or Coast Guard. Specifically, these regulations outline how CSRS and FERS employees may obtain limited service credit for their NAFI service in order to qualify for immediate retirement.

Timetable:

| Action | Date | FR Cite |
|------------------------------|----------|------------|
| Interim Final Rule Effective | 12/28/01 | |
| Interim Final Rule | 01/16/03 | 68 FR 2175 |
| Final Action | 10/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: James Giuseppe, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0299
Email: combox@opm.gov

Related RIN: Related to 3206-AH57**RIN:** 3206-AJ72**3465. FEDERAL EMPLOYEES' HEALTH BENEFITS (FEHB) PROGRAM: PAYMENT OF PREMIUMS FOR PERIODS OF LEAVE WITHOUT PAY OR INSUFFICIENT PAY****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8913**CFR Citation:** 5 CFR 890**Legal Deadline:** None

Abstract: These regulations establish a requirement that Federal agencies

counsel employees entering nonpay status, or whose pay is insufficient to cover their FEHB premium payments, of the options of continuing or terminating their FEHB coverage, and if continuing, of paying premiums directly on a current basis or incurring a debt to be withheld from future salary. These regulations are intended to ensure employees are fully aware of these alternatives. We have received comments on the interim final rule, which are under review.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|-------------|
| Interim Final Rule | 07/22/96 | 61 FR 37807 |
| Interim Final Rule | 05/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Michael W. Kaszynski, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0004
Email: michael.kaszynski@opm.gov

RIN: 3206-AG66**3466. TRAINING****Priority:** Other Significant**Legal Authority:** 5 USC 8913**CFR Citation:** 5 CFR 890**Legal Deadline:** None

Abstract: The Office of Personnel Management (OPM) is proposing a revision to its regulations concerning agency reporting requirements. The proposed change requires agencies to electronically transfer training data to OPM's Governmentwide electronic data collection system on a regular basis. This proposed regulatory change will also facilitate reporting Governmentwide training information data using OPM's electronic data collection system.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 05/27/05 | 70 FR 30647 |
| NPRM Comment Period End | 07/26/05 | |
| Interim Final Rule | 10/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Loretta Reeves, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-2410
Fax: 202 606-0390
Email: llreeves@opm.gov

RIN: 3206-AK46**3467. SUSPENSION OF PEACE CORPS ELIGIBLES' ENROLLMENT IN THE FEDERAL EMPLOYEES HEALTH BENEFITS (FEHB) PROGRAM****Priority:** Other Significant**Legal Authority:** 5 USC 8913**CFR Citation:** 5 CFR 890**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing an interim regulation to allow Peace Corps eligible FEHB Program annuitants, survivors, and former spouses to suspend their FEHB enrollments, and then return to the FEHB Program during the Open Season, or return to FEHB coverage immediately, if they involuntarily lose coverage under the Peace Corps. The intent of this rule is to allow these beneficiaries to avoid the expense of continuing to pay FEHB Program premiums while they are using Peace Corps coverage, without endangering their ability to return to the FEHB Program in the future.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|-------------|
| NPRM | 11/30/05 | 70 FR 71749 |
| Final Action | 06/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Michael W. Kaszynski, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0004
Email: michael.kaszynski@opm.gov

RIN: 3206-AK90

OPM

Final Rule Stage

3468. • FEHB COVERAGE AND PREMIUMS FOR ACTIVE DUTY MEMBERS OF THE MILITARY**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8913**CFR Citation:** 5 CFR 890**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing an interim regulation to change the Federal Employee Health Benefits (FEHB) Program regulations that govern continued coverage for employees who are called or ordered to serve in the uniformed services. These regulations provide extended FEHB coverage for up to 24 months to Federal employees called or ordered to active duty and who meet certain requirements, including serving in support of a contingency operation. Those employees who are called or ordered to active duty in support of a contingency operation are also eligible for premium payments by their employing agency. The purpose of these regulations is to authorize Federal agencies to continue health benefits coverage for those employees called or ordered to active duty for up to 24 months, with certain employees qualifying for agency premium contributions.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|---------|
| Interim Final Rule | 06/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Michael W. Kaszynski, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0004
Email: michael.kaszynski@opm.gov

RIN: 3206-AK98**3469. IMPLEMENTATION OF FLEXIBLE SPENDING ACCOUNTS FOR EXECUTIVE BRANCH FEDERAL EMPLOYEES PARTICIPATING IN THE FEDERAL EMPLOYEES' HEALTH BENEFITS PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 125; 26 USC 129; 26 USC 152**CFR Citation:** 5 CFR 892**Legal Deadline:** None

Abstract: The Office of Personnel Management plans to issue regulations that enable employees of all executive branch agencies to elect a Health Care Flexible Spending Account (HCFSA) and/or a Dependent Care Flexible Spending Account (DCFSA) in accordance with sections 125, 129, and 152 of the Internal Revenue Code.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|---------|
| Interim Final Rule | 10/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Anne Easton, Retirement and Insurance Services, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0004
Fax: 202 606-0633

RIN: 3206-AJ66**3470. • FEDERAL EMPLOYEE DENTAL AND VISION BENEFITS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 U.S.C. 8962 ; 5 U.S.C. 8992**CFR Citation:** 5 CFR 894**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing interim regulations to implement the Federal Employee Dental and Vision Benefits Enhancement Act of 2004. This law establishes dental and vision benefits programs for Federal employees, annuitants, and their families.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|---------|
| Interim Final Rule | 12/00/06 | |
| Final Action | 12/00/07 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Edward DeHarde, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0004

Fax: 202-606-0633

Email: edward.deharde@opm.gov

RIN: 3206-AL03**3471. PROGRAMS FOR SPECIFIC POSITIONS AND EXAMINATIONS (MISCELLANEOUS)****Priority:** Other Significant**Legal Authority:** 5 USC 1104(a)(2); 5 USC 1305; 5 USC 3105; 5 USC 3323(b); 5 USC 3344; 5 USC 4301(2)(D); 5 USC 5372; 5 USC 7521; PL 79-404**CFR Citation:** 5 CFR 930**Legal Deadline:** None

Abstract: The Office of Personnel Management (OPM) is issuing proposed regulations to revise the Administrative Law Judge Program. The purpose of these revisions is to remove procedures that appear in other parts of this chapter, update outdated information, and remove the internal examining processes from the regulations. Additionally, these revisions describe OPM and agency responsibilities concerning the Administrative Law Judge Program. This proposed regulation continues the basic intent of making administrative law judges independent in matters of tenure and compensation.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 12/21/05 | 70 FR 75745 |
| NPRM Comment Period End | 02/21/06 | |
| Final Action | 12/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Linda Watson, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0830
Fax: 202 606-0390
Email: linda.watson@opm.gov

RIN: 3206-AK86**3472. FEDERAL EXECUTIVE BOARDS****Priority:** Info./Admin./Other**Legal Authority:** 5 CFR 960, Memorandum of the President for Heads of Departments and Agencies**CFR Citation:** 5 CFR 960

OPM

Final Rule Stage

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) is issuing regulations designed to make plain language updates, and general or routine modifications with no cost implications. These regulations also will clarify language based on modifications to OPM programs.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|-------------|
| NPRM | 11/25/02 | 67 FR 70559 |
| Final Action | 10/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Paula L. Bridgham, Division for Human Capital Leadership and Merit System Accountability, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-1000
Fax: 202 606-3350
Email: plbridgh@opm.gov

RIN: 3206-AJ68

3473. NATIONAL SECURITY PERSONNEL SYSTEM

Priority: Other Significant

Legal Authority: PL 108-136

CFR Citation: 5 CFR 9901

Legal Deadline: None

Abstract: The Department of Defense (DoD) and the Office of Personnel Management are issuing final regulations to establish the National Security Personnel System (NSPS), a human resources management system for the DoD, as authorized by the National Defense Authorization Act (Pub. L. 108-136, November 24, 2003). NSPS governs basic pay, staffing, classification, performance management, labor relations, adverse actions, and employee appeals. NSPS aligns DoD's human resources management system with the Department's critical mission requirements and protects the civil service rights of its employees.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|------------|
| NPRM | 02/14/05 | 70 FR 7552 |
| NPRM Comment Period End | 03/16/05 | |
| Final Action | 10/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nancy H. Kichak, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0722
Email: nhkichak@opm.gov

RIN: 3206-AK76

3474. • VETERANS' PREFERENCE

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 2108

CFR Citation: 5 CFR 211

Legal Deadline: None

Abstract: The Office of Personnel Management is revising its regulation regarding veterans' preference in response to a statutory change to clarify language in title 5, United States Code (U.S.C.) paragraph 2108. The purpose of this change is to clarify that military reservist, who are released from active duty and otherwise qualified, are eligible for veterans' preference in Federal hiring.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|---------|
| Interim Final Rule | 06/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Scott A. Wilander, Division of Strategic Human Resources, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415
Phone: 202 606-3621
Email: scott.wilander@opm.gov

RIN: 3206-AL00

Office of Personnel Management (OPM)

Long-Term Actions

3475. RETIREMENT COVERAGE OF AIR TRAFFIC CONTROLLERS

Priority: Other Significant

Legal Authority: 5 USC 8461(g)

CFR Citation: 5 CFR 842

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) is issuing this interim rule to revise the regulations governing the retirement coverage of air traffic controllers under the Federal Employees' Retirement System. These rules are necessary because of the recent enactment of new statutory provisions relating to the retirement definition of air traffic controllers. These rules also implement the deposit requirement for crediting past service

as a second-level supervisor of air traffic controllers for retirement purposes.

Timetable:

| Action | Date | FR Cite |
|--------------------|--------------|-------------|
| Interim Final Rule | 06/05/05 | 70 FR 32709 |
| Next Action | Undetermined | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James Giuseppe, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0299

Email: combox@opm.gov

RIN: 3206-AK73

3476. GENERAL AND MISCELLANEOUS

Priority: Info./Admin./Other

Legal Authority: 5 CFR 1

CFR Citation: 5 CFR 990

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) is proposing to remove its regulation concerning the submission of claims by "preference eligibles" to OPM and the recognition of representatives by OPM. The existing regulation is now obsolete.

OPM

Long-Term Actions

Timetable:

| Action | Date | FR Cite |
|--------------|----------|-------------|
| NPRM | 05/27/03 | 68 FR 28806 |
| Final Action | 04/00/07 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Hakeem Basheerud-Deen, Division for Strategic Human Resources Policy, Office of

Personnel Management, 1900 E Street NW, Washington, DC 20415
Phone: 202 606-0380
Email: hakeem.basheerud-deen@opm.gov

RIN: 3206-AJ97

Office of Personnel Management (OPM)

Completed Actions

3477. EXCEPTED SERVICE — TEMPORARY ORGANIZATIONS

Priority: Other Significant

CFR Citation: 5 CFR 213

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|------------|
| Final Action | 02/22/06 | 71 FR 8921 |
| Final Action Effective | 03/24/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sharon Ginley
Phone: 202 606-0960
Email: sharon.ginley@opm.gov

RIN: 3206-AJ70

3478. AMENDMENT TO SELECTIVE SERVICE REGISTRATION REQUIREMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 5 CFR 300

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/09/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sharon Ginley
Phone: 202 606-0960
Email: sharon.ginley@opm.gov

RIN: 3206-AI52

3479. VETERANS RECRUITMENT APPOINTMENTS

Priority: Other Significant

CFR Citation: 5 CFR 307

Completed:

| Reason | Date | FR Cite |
|--------------|----------|-------------|
| Final Action | 12/01/05 | 70 FR 72065 |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Darlene Phelps
Phone: 202 606-0830
Fax: 202 606-0390
Email: darlene.phelps@opm.gov

RIN: 3206-AJ90

3480. EXAMINING SYSTEM

Priority: Other Significant

CFR Citation: 5 CFR 337

Completed:

| Reason | Date | FR Cite |
|--------------|----------|------------|
| Final Action | 01/23/06 | 71 FR 3409 |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Linda Watson
Phone: 202 606-0830
Fax: 202 606-0390
Email: linda.watson@opm.gov

RIN: 3206-AK35

3481. TRAINING

Priority: Substantive, Nonsignificant

CFR Citation: 5 CFR 410; 5 CFR 410.309; 5 CFR 410.404; 5 CFR 410.505

Completed:

| Reason | Date | FR Cite |
|---|----------|---------|
| Merged With 3206-AJ99 (completed) | 02/09/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Loretta Reeves
Phone: 202 606-2410
Fax: 202 606-0390
Email: llreeves@opm.gov

RIN: 3206-AJ19

3482. GENERAL SCHEDULE LOCALITY PAY AREAS

Priority: Other Significant

CFR Citation: 5 CFR 531

Completed:

| Reason | Date | FR Cite |
|--------------|----------|-------------|
| Final Action | 12/19/05 | 70 FR 74996 |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Allan G. Hearne
Phone: 202 606-2838
Fax: 202 606-4264
Email: aghearne@opm.gov

RIN: 3206-AK78

3483. PREVAILING RATE SYSTEMS; ENVIRONMENTAL DIFFERENTIAL PAY FOR ASBESTOS EXPOSURE

Priority: Other Significant

CFR Citation: 5 CFR 532

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|------------|
| Final Action | 02/22/06 | 71 FR 8921 |
| Final Action Effective | 02/22/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Madeline Gonzalez
Phone: 202 606-2858
Email: pay-performance-policy@opm.gov

RIN: 3206-AK64

3484. PREVAILING RATE SYSTEMS; REDEFINITION OF THE CENTRAL NORTH CAROLINA APPROPRIATED FUND WAGE AREA

Priority: Substantive, Nonsignificant

CFR Citation: 5 CFR 532

OPM

Completed Actions

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 10/21/05 | 70 FR 61211 |
| Final Action Effective | 11/21/05 | 70 FR 61211 |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Madeline Gonzalez

Phone: 202 606-2858

Email: pay-performance-policy@opm.gov

RIN: 3206-AK83

3485. PREVAILING RATE SYSTEMS; REDEFINITION OF THE ADAMS-DENVER, CO, NONAPPROPRIATED FUND WAGE AREA

Priority: Substantive, Nonsignificant

CFR Citation: 5 CFR 532

Completed:

| Reason | Date | FR Cite |
|--------------|----------|-------------|
| Final Action | 11/14/05 | 70 FR 69041 |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Madeline Gonzalez

Phone: 202 606-2858

Email: pay-performance-policy@opm.gov

RIN: 3206-AK91

3486. • PREVAILING RATE SYSTEMS; CHANGE IN THE SURVEY CYCLE FOR THE HARRISON, MISSISSIPPI, NONAPPROPRIATED FUND FEDERAL WAGE SYSTEM WAGE AREA

Priority: Other Significant

Legal Authority: 5 USC 5343

CFR Citation: 5 CFR 532

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing an interim rule to change the timing of local wage surveys in the Harrison, Mississippi, nonappropriated fund (NAF) Federal

Wage System (FWS) wage area. The purpose of this change is to avoid conducting future surveys in this area during the hurricane season.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| Interim Final Rule | 10/31/05 | 70 FR 62229 |
| Interim Final Rule Comment Period End | 10/31/05 | |
| Final Action | 01/30/06 | 71 FR 4805 |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Madeline Gonzalez,
Office of Personnel Management, 1900

E Street NW, Washington, DC 20415

Phone: 202 606-2858

Email: pay-performance-policy@opm.gov

RIN: 3206-AK96

3487. FEDERAL LONG-TERM CARE INSURANCE REGULATIONS

Priority: Other Significant

CFR Citation: 5 CFR 875

Completed:

| Reason | Date | FR Cite |
|--------------|----------|-------------|
| Final Action | 05/27/05 | 70 FR 30605 |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: John Cutler

Phone: 202 606-0735

Email: john.cutler@opm.gov

RIN: 3206-AJ71

3488. FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM: DISCONTINUANCE OF HEALTH PLAN IN A NATIONAL EMERGENCY**Timetable:**

| Action | Date | FR Cite |
|------------------------|----------|---------|
| Duplicate of 3206-AK95 | 02/09/06 | |

RIN: 3206-AK92

3489. SOLICITATION OF FEDERAL CIVILIAN AND UNIFORMED SERVICE PERSONNEL FOR CONTRIBUTIONS TO PRIVATE VOLUNTARY ORGANIZATIONS—ANTITERRORISM CERTIFICATION

Priority: Other Significant

CFR Citation: 5 CFR 950

Completed:

| Reason | Date | FR Cite |
|--------------|----------|-------------|
| Final Action | 11/07/05 | 70 FR 67339 |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Mark W. Lambert

Phone: 202 606-2564

Fax: 202 606-0902

Email: cfc@opm.gov

RIN: 3206-AK71

3490. FEDERAL EMPLOYEES' HEALTH BENEFITS ACQUISITION REGULATION: LARGE PROVIDER AGREEMENTS, SUBCONTRACTS, AND MISCELLANEOUS CHANGES

Priority: Other Significant

CFR Citation: 48 CFR 1602; 48 CFR 1604; 48 CFR 1615; 48 CFR 1632; 48 CFR 1644; 48 CFR 1652; 48 CFR 1602; 48 CFR 1646; . . .

Completed:

| Reason | Date | FR Cite |
|----------------------|----------|-------------|
| Final Action | 06/01/05 | 70 FR 31374 |
| Final Rule Effective | 07/01/05 | |
| Correction | 01/19/06 | 71 FR 3015 |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michael W. Kaszynski

Phone: 202 606-0004

Email: michael.kaszynski@opm.gov

RIN: 3206-AJ20

[FR Doc. 06-2057 Filed 04-21-06; 8:45 am]

BILLING CODE 6325-44-S