



# Federal Register

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**Monday,  
October 31, 2005**

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**Part XXXVII**

## **Office of Personnel Management**

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**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.

**SUPPLEMENTARY INFORMATION:** OPM has begun a comprehensive, systematic review of its Governmentwide personnel regulations. OPM has undertaken this initiative to make the regulations more readable wherever possible, to eliminate duplication, and

to weed out obsolete references. OPM will incorporate any necessary substantive changes as part of this project. OPM has been publishing these regulations as proposed regulations and will continue to do so as the project progresses.

This edition of the Unified Agenda of Federal Regulatory and Deregulatory Actions includes the Regulatory Plan, which appears in part II of this issue of the **Federal Register**. OPM’s Statement of Regulatory Priorities is included in part II.

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

**Office of Personnel Management—Proposed Rule Stage**

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3521	Privacy Act Regulations .....	3206-AK54
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3528	Training and Executive, Management, and Supervisory Development .....	3206-AK75
3529	Prevailing Rate Systems; Redefinition of the Adams-Denver, CO, Nonappropriated Fund Wage Area .....	3206-AK91
3530	Repayment of Student Loans .....	3206-AK51
3531	Pay Administration under the Fair Labor Standards Act .....	3206-AK89
3532	Reemployment of Civilian Retirees To Meet Exceptional Employment Needs .....	3206-AI32
3533	Nonforeign Area Cost-of-Living Allowances; Rate Changes .....	3206-AK67
3534	Implementation of Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002—Reporting and Best Practices .....	3206-AK55
3535	Suitability .....	3206-AK69
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3537	Investigations .....	3206-AB92
3538	Retirement—Court Orders Awarding Survivor Annuities; Correcting or Supplementing the First Order Dividing Marital Property .....	3206-AG28
3539	Federal Employees’ Group Life Insurance (FEGLI) Program: Expanded Opportunities to Elect Coverage, Miscellaneous Changes and Clarifications, and Plain Language Rewrite .....	3206-AG63
3540	Federal Employees’ Health Benefits (FEHB) Program: Continuing FEHB Coverage Into Retirement .....	3206-AI62
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**Office of Personnel Management—Final Rule Stage**

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## Office of Personnel Management—Final Rule Stage (Continued)

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3546	Excepted Service—Student Program .....	3206-AK59
3547	Changes in Pay Administration Rules for General Schedule Employees .....	3206-AK88
3548	Reasonable Accommodation Language for Vacancy Announcements .....	3206-AJ11
3549	Merit Promotion and Internal Placement .....	3206-AI20
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3551	Temporary Assignment of Employees Between Federal, State, Local, and Indian Tribal Governments .....	3206-AJ94
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3554	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
3555	Awards .....	3206-AJ65
3556	Classification Under the General Schedule .....	3206-AH38
3557	Recruitment, Relocation, and Retention Bonuses .....	3206-AK81
3558	General Schedule Locality Pay Areas .....	3206-AK78
3559	Job Grading Reviews and Appeals of Federal Wage System Employees .....	3206-AI14
3560	Prevailing Rate Systems; Environmental Differential Pay for Asbestos Exposure .....	3206-AK64
3561	Prevailing Rate Systems; Redefinition of the Central North Carolina Appropriated Fund Wage Area .....	3206-AK83
3562	Critical Position Pay Authority .....	3206-AK87
3563	Pretax Allotments for Flexible Spending Accounts .....	3206-AJ88
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3565	Absence and Leave—SES Annual Leave .....	3206-AK72
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3567	Implementation of Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002—Judgment Fund .....	3206-AJ93
3568	Implementation of Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002—Notification and Training .....	3206-AK38
3569	Notification of Post-Employment Restrictions .....	3206-AK60
3570	Employee Responsibilities and Conduct .....	3206-AJ74
3571	Retirement; Coverage—Nonappropriated Fund Instrumentalities .....	3206-AH57
3572	Retirement—State Income Tax Withholding Instrumentalities .....	3206-AH62
3573	Coverage for Certain Employees of the District of Columbia .....	3206-AI02
3574	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
3575	Continuation of Eligibility for Certain Civil Service Benefits for Former Federal Employees of the Civilian Marksmanship Program .....	3206-AJ55
3576	Correction of Retirement Coverage Errors Under the Federal Erroneous Retirement Coverage Correction Act .....	3206-AJ38
3577	Retirement—General Administration .....	3206-AI83
3578	Retirement—FERS Basic Annuity .....	3206-AE73
3579	Retirement—Credit for Military Service .....	3206-AG58
3580	Retirement—Credit for Certain Government Service Performed Abroad .....	3206-AK84
3581	Retirement—FERS Elections of Coverage .....	3206-AG96
3582	Retirement Coverage and Service Credit Elections Available to Current and Former Nonappropriated Fund Employees .....	3206-AJ72
3583	Federal Long-Term Care Insurance Regulations .....	3206-AJ71
3584	Federal Employees' Health Benefits (FEHB) Program: Payment of Premiums for Periods of Leave Without Pay or Insufficient Pay .....	3206-AG66
3585	Training .....	3206-AK46
3586	Implementation of Flexible Spending Accounts for Executive Branch Federal Employees Participating in the Federal Employees' Health Benefits Program .....	3206-AJ66
3587	Solicitation of Federal Civilian and Uniformed Service Personnel for Contributions to Private Voluntary Organizations—Antiterrorism Certification .....	3206-AK71
3588	Solicitation of Federal Civilian and Uniformed Service Personnel for Contributions to Private Voluntary Organizations—CFC Pilot Program for Department of Defense (DoD) Personnel Deployed Overseas .....	3206-AK79
3589	Federal Executive Boards .....	3206-AJ68
3590	General and Miscellaneous .....	3206-AJ97
3591	National Security Personnel System .....	3206-AK76

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Office of Personnel Management—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
3592	Federal Employees' Health Benefits Acquisition Regulation: Large Provider Agreements, Subcontracts, and Miscellaneous Changes .....	3206-AJ20

Office of Personnel Management—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3593	Veterans Recruitment Appointments .....	3206-AJ90
3594	Pay Administration; Availability Pay for Criminal Investigators .....	3206-AJ49
3595	Retirement Coverage of Air Traffic Controllers .....	3206-AK73
3596	Suspension of Peace Corps Eligibles' Enrollment in the Federal Employees Health Benefits (FEHB) Program .....	3206-AK90
3597	Programs for Specific Positions and Examinations (Miscellaneous) .....	3206-AK86

Office of Personnel Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3598	Excepted Service—Career and Career-Conditional Employment .....	3206-AJ28
3599	Excepted Service—Privacy Procedures for Personnel Records, Career and Career-Conditional Employment, Temp. Assignment of Employees Between Federal Agencies and State, Local, and Indian Tribal Govts. ....	3206-AK27
3600	Information Technology Exchange Program .....	3206-AJ91
3601	Executive Performance and Accountability .....	3206-AJ86
3602	Standardization of Pay and Leave Policies .....	3206-AK82
3603	Locality-Based Comparability Payments .....	3206-AK56
3604	Prevailing Rate Systems; Redefinition of the San Francisco, California, Nonappropriated Fund Wage Area .....	3206-AK26
3605	Computation of Pay for Biweekly Pay Periods .....	3206-AK62
3606	Law Enforcement Officer and Firefighter Retirement .....	3206-AJ39
3607	Federal Employees Retirement System; Death Benefits and Employee Refunds .....	3206-AK57
3608	Changes in Health Benefits Enrollment .....	3206-AK04
3609	Federal Employees' Health Benefits Program Revision of Contract Cost Principles and Procedures, and Miscellaneous Changes .....	3206-AJ10
3610	Federal Employees' Group Life Insurance Federal Acquisition Regulation .....	3206-AI65

Office of Personnel Management (OPM)

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**3517. 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	10/00/05	
Final Action	03/00/06	

**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  
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**RIN:** 3206-AK65

**3518. 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

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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	04/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Hakeem

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**Related RIN:** Related to 3206-AJ92

**RIN:** 3206-AK77

**3519. 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	10/00/05	
Final Action	03/00/06	

**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

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**RIN:** 3206-AK40

**3520. FREEDOM OF INFORMATION ACT (FOIA) REGULATIONS**

**Priority:** Info./Admin./Other

**Legal Authority:** 5 USC 552

**CFR Citation:** 5 CFR 294

**Legal Deadline:** None

**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	04/00/06	
NPRM Comment	06/00/06	
Period End		
Final Action	09/00/06	

**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

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**RIN:** 3206-AK53

**3521. 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	10/00/05	
NPRM Comment	06/00/06	
Period End		
Final Action	09/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 3206-AK54

**3522. AMENDMENT TO SELECTIVE SERVICE REGISTRATION REQUIREMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 3328

**CFR Citation:** 5 CFR 300

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management proposes regulations to delegate to agencies the determination whether a Federal job applicant's failure to register with the Selective Service was knowing and willful. This change is authorized by an amendment to 5 U.S.C. 3328.

**Timetable:**

Action	Date	FR Cite
NPRM	03/29/99	64 FR 14842
NPRM Comment	04/28/99	
Period End		
NPRM	12/00/05	

**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

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**RIN:** 3206-AI52

**3523. 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

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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	09/00/06	

**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  
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**RIN:** 3206-AH83

**3524. 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	12/00/05	

**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  
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**RIN:** 3206-AJ92

**3525. 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 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	10/00/05	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 3206-AI22

**3526. 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	12/00/05	

**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

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**RIN:** 3206-AI19

**3527. TRAINING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 4118

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

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management is issuing proposed regulations to address continued service requirements in light of new legislation authorizing the expanded authority for payment of academic degrees. Proposed changes will restore the allowance for agency heads to delegate authority to define requirements for continued service and provide guidance concerning circumstances when the requirement for continued service can be waived. Proposed regulations will also clarify distinctions between training and meetings.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/05	
Final Action	12/00/05	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 3206-AJ19

**3528. 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

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(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	12/00/05	

**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  
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**RIN:** 3206-AK75**3529. • PREVAILING RATE SYSTEMS; REDEFINITION OF THE ADAMS-DENVER, CO, NONAPPROPRIATED FUND WAGE AREA****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5343**CFR Citation:** 5 CFR 532**Legal Deadline:** None

**Abstract:** The Office of Personnel Management is issuing a proposed rule that would remove Adams County, CO, from the Adams-Denver, CO, Federal Wage System (FWS) Nonappropriated Fund (NAF) wage area, redefine Arapahoe County, CO, from the area of application to the survey area and change the name of the Adams-Denver FWS NAF wage area to Arapahoe-Denver.

**Timetable:**

Action	Date	FR Cite
NPRM	08/22/05	70 FR 48899
Final Action	12/00/05	

**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  
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**RIN:** 3206-AK91**3530. 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 revision to part 537 is not to make substantive changes, but rather to make part 537 more readable. As part of this rewriting effort, the proposed regulations have been reorganized and converted to a question-and-answer format (except for the introductory sections on purpose and definitions).

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

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

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**RIN:** 3206-AK51**3531. • 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	12/00/05	

**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  
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**RIN:** 3206-AK89**3532. 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 proposes regulations to establish new criteria for granting exceptions for key positions in temporary organizations established by law or Executive order. This rule will also expand and clarify the criteria used in exercising this authority.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/05	

**Regulatory Flexibility Analysis****Required:** No

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**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  
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**RIN:** 3206-AI32

### 3533. 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	03/00/06	

**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  
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**RIN:** 3206-AK67

### 3534. IMPLEMENTATION OF TITLE II OF THE NOTIFICATION AND FEDERAL EMPLOYEE ANTIDISCRIMINATION AND RETALIATION ACT OF 2002—REPORTING AND BEST PRACTICES

**Priority:** Substantive, Nonsignificant

**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.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/05	
Final Action	02/00/06	

**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

### 3535. 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.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/05	
Final Action	01/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Tom DelPozzo, Center for Federal Investigative Services, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
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Email: tom.delpozzo@opm.gov

**RIN:** 3206-AK69

### 3536. 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	10/00/05	
Final Action	01/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Tom DelPozzo, Center for Federal Investigative Services, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
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**RIN:** 3206-AC21

### 3537. 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



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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	10/00/05	
Final Action	01/00/06	

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

**Agency Contact:** Tom DelPozzo, Center for Federal Investigative Services, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
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Email: tom.delpozzo@opm.gov

**RIN:** 3206-AB92

**3538. 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	10/00/05	

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

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Email: combox@opm.gov

**RIN:** 3206-AG28

**3539. FEDERAL EMPLOYEES’ GROUP LIFE INSURANCE (FEGLI) 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 FEGLI 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	12/00/05	
Final Action	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Karen Leibach, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
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**RIN:** 3206-AG63

**3540. FEDERAL EMPLOYEES’ HEALTH BENEFITS (FEHB) PROGRAM: CONTINUING FEHB COVERAGE INTO RETIREMENT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 8913

**CFR Citation:** 5 CFR 890

**Legal Deadline:** None

**Abstract:** This proposed regulation would increase OPM’s ability to waive

requirements for continuing health benefits coverage into retirement when it is to the advantage of the Government to do so.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	
Final Action	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Ronald L. Brown, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
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**RIN:** 3206-AI62

**3541. • FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM: DISCONTINUANCE OF HEALTH PLAN IN A NATIONAL EMERGENCY**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 8913

**CFR Citation:** 5 CFR 890

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) is issuing an interim 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 national disaster.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/05	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Karen Leibach, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
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**RIN:** 3206-AK92

## OPM

## Proposed Rule Stage

**3542. 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	10/00/05	
Final Action	01/00/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Tom DelPozzo, Center for Federal Investigative Services, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
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Email: tom.del Pozzo@opm.gov**RIN:** 3206-AK68

## Office of Personnel Management (OPM)

## Final Rule Stage

**3543. 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	10/00/05	

**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

limitations on temporary organizations, we are amending excepted service appointing authority for hiring persons in temporary organizations to reflect these changes.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/08/03	68 FR 24605
Interim Final Rule Effective	05/08/03	
Interim Final Rule Comment Period End	07/07/03	
Final Action	12/00/05	

**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  
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apparent in the judgment of the hiring agency. Agencies may accept proof of the disability from an expanded number of entities.

**Timetable:**

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

**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**3546. 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.**3544. EXCEPTED SERVICE—TEMPORARY ORGANIZATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 3161**CFR Citation:** 5 CFR 213**Legal Deadline:** None**Abstract:** Since the new law on temporary organizations provides new**3545. 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 authorize agencies to verify a severe physical disability without proof when the disability is visually obvious or

## OPM

## Final Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	03/16/05	70 FR 12812
NPRM Comment Period End	05/16/05	
Final Action	10/00/05	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AK59

**3547. • 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 interim regulations to implement section 301 of the Federal Workforce Flexibility Act of 2004, which 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
Final Action	09/00/06	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AK88

**3548. 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	

**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

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RIN: 3206-AJ11

**3549. 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	
Final Action	12/00/05	

**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

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RIN: 3206-AI20

**3550. 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	06/00/06	

**Regulatory Flexibility Analysis**

Required: No

## OPM

## Final Rule Stage

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Linda Watson,  
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**RIN:** 3206-AJ52

### 3551. 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	12/00/05	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 3206-AJ94

### 3552. EXAMINING SYSTEM

**Priority:** Other Significant

**Legal Authority:** 5 USC 1104(a)(2); 5 USC 1302; 5 USC 3301; 5 USC 3302; 5 USC 3304; 5 USC 3319; 5 USC 5364

**CFR Citation:** 5 CFR 337

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) is issuing an interim regulation to designate two sections of the Alternative Ranking and

Selection Procedures from the Homeland Security Act of 2002 as a veterans' preference requirement to align the regulation with others covering veterans' preference.

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Linda Watson,  
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**RIN:** 3206-AK35

### 3553. 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	12/00/05	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Linda Watson,  
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**RIN:** 3206-AK85

### 3554. RESTORATION TO DUTY FROM UNIFORMED SERVICE OR COMPENSABLE INJURY; PAY RATES AND SYSTEMS (GEN.); PAY UNDER THE GEN. SCHEDULE; PAY ADMN.; BONUSSES; 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 proposed regulations to revise the rules concerning the determination of official duty station for location-based pay entitlements, 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	06/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Jo Ann Perrini,  
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**RIN:** 3206-AK61

### 3555. AWARDS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 4506

## OPM

## Final Rule Stage

**CFR Citation:** 5 CFR 450, subpart C

**Legal Deadline:** None

**Abstract:** Regulations at 5 C.F.R. 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	12/00/05	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 3206-AJ65

**3556. 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	12/00/05	

**Regulatory Flexibility Analysis**

**Required:** 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  
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**RIN:** 3206-AH38

**3557. 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 interim regulations to implement a provision of the Federal Workforce Flexibility Act of 2004 to provide 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
Final Action	09/00/06	

**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, Room 7H31, 1900 E Street NW., Washington, DC 20415  
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**RIN:** 3206-AK81

**3558. GENERAL SCHEDULE LOCALITY PAY AREAS**

**Priority:** Other Significant

**Legal Authority:** 5 USC 5304, Subpart F

**CFR Citation:** 5 CFR 531

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management is issuing proposed regulations on the locality pay program for General Schedule employees on behalf of the President's Pay Agent. The proposed regulations would merge the Kansas City, MO and KS, St. Louis, MO

and IL, and Orlando, FL locality pay areas with the rest of U.S. locality pay areas and create new locality pay areas for Buffalo, NY, Phoenix, AZ, and Raleigh, NC. The new locality pay area definitions would go into effect in January 2006.

**Timetable:**

Action	Date	FR Cite
NPRM	06/20/05	70 FR 35383
NPRM Comment Period End	08/19/05	
Final Action	11/00/05	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Allan G. Hearne, Strategic Human Resources Policy Division, Office of Personnel Management, Room 7H31, 1900 E Street NW., Washington, DC 20415  
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**RIN:** 3206-AK78

**3559. 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	12/00/05	

**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  
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**RIN:** 3206-AI14

## OPM

## Final Rule Stage

**3560. PREVAILING RATE SYSTEMS; ENVIRONMENTAL DIFFERENTIAL PAY FOR ASBESTOS EXPOSURE****Priority:** Other Significant**Legal Authority:** 5 USC 5343; 5 USC 5346**CFR Citation:** 5 CFR 532**Legal Deadline:** None

**Abstract:** The Office of Personnel Management is issuing an interim regulation to implement a change in law that requires the use of the Occupational Safety and Health Administration permissible exposure limit standard for concentrations of airborne asbestos fibers for an environmental differential pay category that covers Federal prevailing rate (wage) employees.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/27/05	70 FR 21613
Interim Final Rule Effective	04/27/05	
Final Action	12/00/05	

**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  
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**RIN:** 3206-AK64**3561. PREVAILING RATE SYSTEMS; REDEFINITION OF THE CENTRAL NORTH CAROLINA APPROPRIATED FUND WAGE AREA****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5343**CFR Citation:** 5 CFR 532**Legal Deadline:** None

**Abstract:** The Office of Personnel Management is issuing a proposed rule that would redefine the Central North Carolina Federal Wage System (FWS) appropriated fund wage area. The proposed rule would redefine Edgecombe and Wilson Counties, NC, from the survey area to the area of application and Hoke County, NC, from the area of application to the survey area.

**Timetable:**

Action	Date	FR Cite
NPRM	05/18/05	70 FR 28488
NPRM Comment Period End	06/17/05	
Final Action	12/00/05	

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

**Agency Contact:** Mark Allen, Division for Strategic Human Resources Policy, Office of Personnel Management, Room 7H31, 1900 E Street NW., Washington, DC 20415

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**RIN:** 3206-AK83**3562. 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 interim regulations with request for comments in 2005 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
Interim Final Rule	10/00/05	
Final Action	04/00/06	

**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  
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**RIN:** 3206-AK87**3563. 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 contribute to pretax Flexible Spending Accounts (FSAs) through two new allotments from the employee's pay to the employing agency. One of the new allotments will be available for a health care FSA and the other for a dependent care FSA. FSAs became effective on July 1, 2003.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/05	

**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**3564. 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	06/00/06	

**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

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 RIN: 3206-AK74

### 3565. 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	03/00/06	

**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  
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 Email: pay-performance-policy@opm.gov  
 RIN: 3206-AK72

### 3566. 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 interim

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	06/00/06	

**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  
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 Email: pay-performance-policy@opm.gov  
 RIN: 3206-AK80

### 3567. 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	10/00/05	

**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

### 3568. 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	10/00/05	

**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

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**3569. 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	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-AK60**3570. 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	10/00/05	

**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**3571. 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	12/00/05	

**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  
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**Related RIN:** Related to 3206-AJ72**RIN:** 3206-AH57**3572. 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	10/00/05	

**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  
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**RIN:** 3206-AH62**3573. 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 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



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Action	Date	FR Cite
Interim Final Rule	12/01/97	
Comment Period		
End		
Final Action	10/00/05	

**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  
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**RIN:** 3206-AI02**3574. 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	10/00/05	

**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  
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**RIN:** 3206-AI55**3575. 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	08/02/02	
Period End		
Final Action	10/00/05	

**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  
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**RIN:** 3206-AJ55**3576. 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	12/00/05	

**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  
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**RIN:** 3206-AJ38**3577. 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.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/20/00	65 FR 21119
Interim Final Rule	04/20/00	
Effective		
Final Action	10/00/05	

**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

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 RIN: 3206-AI83

**3578. 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	03/00/06	

**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  
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**RIN:** 3206-AE73

**3579. 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	12/00/05	

**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  
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**RIN:** 3206-AG58

**3580. 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	06/00/06	

**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  
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**RIN:** 3206-AK84

**3581. 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	10/00/05	

**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  
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**RIN:** 3206-AG96

**3582. 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 establish procedures for employees who want to elect to use service they performed for

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a Nonappropriated Fund Instrumentality (NAFI) of the Department of Defense or Coast Guard to qualify for immediate retirement under CSRS or FERS annuity when employees elect to use NAFI service to qualify for immediate CSRS or FERS retirement.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	12/28/01	
Interim Final Rule	01/16/03	68 FR 2175
Final Action	12/00/05	

**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  
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**Related RIN:** Related to 3206-AH57

**RIN:** 3206-AJ72

**3583. FEDERAL LONG-TERM CARE INSURANCE REGULATIONS**

**Priority:** Other Significant

**Legal Authority:** 5 USC 9008

**CFR Citation:** 5 CFR 875

**Legal Deadline:** None

**Abstract:** On September 19, 2000, the Long-Term Care Security Act became law. As directed by the Act, OPM published interim regulations on February 4, 2003, which establish the basic rules under which the Federal Long-Term Care Insurance Program operates.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/04/03	68 FR 5531
Interim Final Rule Effective	02/04/03	
Interim Final Rule Comment Period End	04/07/03	
Final Action	10/00/05	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** John Cutler, Division for Strategic Human Resources Policy,

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**RIN:** 3206-AJ71

**3584. 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
Final Action	06/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Ronald L. Brown, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
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**RIN:** 3206-AG66

**3585. 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	10/00/05	

**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  
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**RIN:** 3206-AK46

**3586. 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	10/00/05	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

## OPM

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**Agency Contact:** Anne Easton,  
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**RIN:** 3206-AJ66

**3587. SOLICITATION OF FEDERAL  
CIVILIAN AND UNIFORMED SERVICE  
PERSONNEL FOR CONTRIBUTIONS  
TO PRIVATE VOLUNTARY  
ORGANIZATIONS—ANTITERRORISM  
CERTIFICATION**

**Priority:** Other Significant

**Legal Authority:** EO 13224

**CFR Citation:** 5 CFR 950

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) is issuing a regulation for the Combined Federal Campaign (CFC). This regulation formalizes and clarifies the requirement that each organization and federation applying to participate in CFC must, as a condition of participation, certify that it does not knowingly employ individuals or contribute funds to individuals or organizations appearing on U.S. Government lists of persons or entities associated with terrorist activities or support, or whose assets are otherwise blocked by the U.S. Department of the Treasury's Office of Foreign Assets Control.

**Timetable:**

Action	Date	FR Cite
NPRM	03/29/05	70 FR 15783
NPRM Comment Period End	05/28/05	
Final Action	12/00/05	

**Regulatory Flexibility Analysis  
Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 3206-AK71

**3588. SOLICITATION OF FEDERAL  
CIVILIAN AND UNIFORMED SERVICE  
PERSONNEL FOR CONTRIBUTIONS  
TO PRIVATE VOLUNTARY  
ORGANIZATIONS—CFC PILOT  
PROGRAM FOR DEPARTMENT OF  
DEFENSE (DOD) PERSONNEL  
DEPLOYED OVERSEAS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** EO 12353

**CFR Citation:** 5 CFR 950

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management is issuing a rule for the Combined Federal Campaign. This regulation will allow deployed Department of Defense (DoD) donors to adjust their contributions so those contributions can be designated to the donor's home station Morale, Welfare, and Recreation activities or to the donor's hometown charities.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/00/05	

**Regulatory Flexibility Analysis  
Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 3206-AK79

**3589. 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

**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	10/00/05	

**Regulatory Flexibility Analysis  
Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 3206-AJ68

**3590. 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.

**Timetable:**

Action	Date	FR Cite
NPRM	05/27/03	68 FR 28806
Final Action	10/00/05	

**Regulatory Flexibility Analysis  
Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 3206-AJ97

**3591. NATIONAL SECURITY  
PERSONNEL SYSTEM**

**Priority:** Other Significant

**Legal Authority:** PL 108-136

**CFR Citation:** 5 CFR 9901

## OPM

## Final Rule Stage

**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	10/00/05	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 3206-AK76

**3592. FEDERAL EMPLOYEES' HEALTH BENEFITS ACQUISITION REGULATION: LARGE PROVIDER AGREEMENTS, SUBCONTRACTS, AND MISCELLANEOUS CHANGES**

**Priority:** Other Significant

**Legal Authority:** 5 USC 8913; 40 USC 486(c); 48 CFR 1.301

**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; ...

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management is proposing a new policy

that establishes notification and information requirements, including audits for Federal Employees' Health Benefits experience-rated carrier large provider agreements. The proposed regulation also revises the threshold for advance approval of carrier subcontracts.

**Timetable:**

Action	Date	FR Cite
NPRM	08/15/03	68 FR 10000
Final Rule	06/01/05	70 FR 31374
Final Rule Effective	07/01/05	
Final Action	03/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 3206-AJ20

## Office of Personnel Management (OPM)

## Long-Term Actions

**3593. VETERANS RECRUITMENT APPOINTMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 107-288

**CFR Citation:** 5 CFR 307

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management proposes to revise its regulations regarding Veterans Readjustment Appointments to implement the provisions of Public Law 107-288, the Jobs for Veterans Act, signed into law on November 7, 2002.

**Timetable:**

Action	Date	FR Cite
NPRM	11/05/04	69 FR 64503
NPRM Comment Period End	01/04/05	
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 3206-AJ90

**3594. 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 final 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
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 3206-AJ49

**3595. RETIREMENT COVERAGE OF AIR TRAFFIC CONTROLLERS**

**Priority:** Other Significant

**Legal Authority:** 5 USC 8461(g)

## OPM

## Long-Term Actions

**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

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**RIN:** 3206-AK73**3596. • SUSPENSION OF PEACE CORPS ELIGIBLES' ENROLLMENT IN THE FEDERAL EMPLOYEES HEALTH BENEFITS (FEHB) PROGRAM****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 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	10/00/06	

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

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**RIN:** 3206-AK90**3597. PROGRAMS FOR SPECIFIC POSITIONS AND EXAMINATIONS (MISCELLANEOUS)****Priority:** Substantive, Nonsignificant**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	12/00/06	

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

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**RIN:** 3206-AK86

## Office of Personnel Management (OPM)

## Completed Actions

**3598. EXCEPTED SERVICE—CAREER AND CAREER—CONDITIONAL EMPLOYMENT****Priority:** Other Significant**CFR Citation:** 5 CFR 213; 5 CFR 315**Completed:**

Reason	Date	FR Cite
Final Action	08/02/05	70 FR 44219
Final Action Effective	09/01/05	

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

**Agency Contact:** Hakeem Basheerud-Deen  
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**RIN:** 3206-AJ28**3599. EXCEPTED SERVICE—PRIVACY PROCEDURES FOR PERSONNEL RECORDS, CAREER AND CAREER—CONDITIONAL EMPLOYMENT, TEMP. ASSIGNMENT OF EMPLOYEES BETWEEN FEDERAL AGENCIES AND STATE, LOCAL, AND INDIAN TRIBAL GOVTS.****Priority:** Other Significant**CFR Citation:** 5 CFR 213; 5 CFR 297; 5 CFR 315; 5 CFR 334; 5 CFR 362; 5 CFR 537; 5 CFR 550

## OPM

## Completed Actions

**Completed:**

Reason	Date	FR Cite
Final Action	05/19/05	70 FR 28775

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

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**RIN:** 3206-AK27**3600. INFORMATION TECHNOLOGY EXCHANGE PROGRAM****Priority:** Other Significant**CFR Citation:** 5 CFR 370**Completed:**

Reason	Date	FR Cite
Final Action	08/15/05	70 FR 47711
Final Action Effective	09/14/05	

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

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**RIN:** 3206-AJ91**3601. EXECUTIVE PERFORMANCE AND ACCOUNTABILITY****Priority:** Substantive, Nonsignificant**CFR Citation:** 5 CFR 430**Completed:**

Reason	Date	FR Cite
Withdrawn	07/20/05	

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

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**RIN:** 3206-AJ86**3602. STANDARDIZATION OF PAY AND LEAVE POLICIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 5 CFR 451; 5 CFR 530 to 532; 5 CFR 534; 5 CFR 536; 5 CFR 550; 5 CFR 575; 5 CFR 630**Completed:**

Reason	Date	FR Cite
Merged With	07/20/05	
3206-AK88		

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

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**Related RIN:** Related to 3206-AI00, Related to 3206-AI88, Related to 3206-AK50

**RIN:** 3206-AK82**3603. LOCALITY-BASED COMPARABILITY PAYMENTS****Priority:** Other Significant**CFR Citation:** 5 CFR 531**Completed:**

Reason	Date	FR Cite
Merged With	07/20/05	
3206-AK88		

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

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**RIN:** 3206-AK56**3604. PREVAILING RATE SYSTEMS; REDEFINITION OF THE SAN FRANCISCO, CALIFORNIA, NONAPPROPRIATED FUND WAGE AREA****Priority:** Substantive, Nonsignificant**CFR Citation:** 5 CFR 532**Completed:**

Reason	Date	FR Cite
Final Action	05/18/05	70 FR 28415
Final Action Effective	06/17/05	

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

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**RIN:** 3206-AK26**3605. COMPUTATION OF PAY FOR BIWEEKLY PAY PERIODS****Priority:** Other Significant**CFR Citation:** 5 CFR 550**Completed:**

Reason	Date	FR Cite
Final Action	05/10/05	70 FR 24477
Final Action Effective	06/09/05	

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

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**RIN:** 3206-AK62**3606. LAW ENFORCEMENT OFFICER AND FIREFIGHTER RETIREMENT****Priority:** Other Significant**CFR Citation:** 5 CFR 831; 5 CFR 842**Completed:**

Reason	Date	FR Cite
Final Action	07/22/05	70 FR 42253
Final Action Effective	07/22/05	

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

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**RIN:** 3206-AJ39**3607. FEDERAL EMPLOYEES RETIREMENT SYSTEM; DEATH BENEFITS AND EMPLOYEE REFUNDS****Priority:** Other Significant**CFR Citation:** 5 CFR 841; 5 CFR 842; 5 CFR 843

## OPM

## Completed Actions

**Completed:**

Reason	Date	FR Cite
Final Action	08/22/05	70 FR48839
Final Action Effective	10/01/05	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Karla Yeakle

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**RIN:** 3206-AK57**3608. CHANGES IN HEALTH BENEFITS ENROLLMENT****Priority:** Other Significant**CFR Citation:** 5 CFR 890**Completed:**

Reason	Date	FR Cite
Final Action	06/10/05	70 FR 33797
Final Action Effective	07/11/05	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Nataya Battle

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**RIN:** 3206-AK04**3609. FEDERAL EMPLOYEES' HEALTH BENEFITS PROGRAM REVISION OF CONTRACT COST PRINCIPLES AND PROCEDURES, AND MISCELLANEOUS CHANGES****Priority:** Other Significant**CFR Citation:** 48 CFR 1631; 48 CFR 1699**Completed:**

Reason	Date	FR Cite
Final Action	06/01/05	70 FR 31389
Final Action Effective	07/01/05	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Anne Easton

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**RIN:** 3206-AJ10**3610. FEDERAL EMPLOYEES' GROUP LIFE INSURANCE FEDERAL ACQUISITION REGULATION****Priority:** Other Significant**CFR Citation:** 48 CFR 2101 to 2105; 48 CFR 2109; 48 CFR 2110; 48 CFR 2115; 48 CFR 2116; 48 CFR 2131; 48 CFR 2132; 48 CFR 2137; 48 CFR 2144; 48 CFR 2146; 48 CFR 2149; 48 CFR 2152; ...**Completed:**

Reason	Date	FR Cite
Final Action	07/18/05	70 FR 41149
Final Action Effective	08/17/05	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Karen Leibach

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**RIN:** 3206-AI65

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