



# Federal Register

---

**Monday,  
April 30, 2007**

---

**Part XXXVII**

## **Office of Personnel Management**

---

**Semiannual Regulatory Agenda**

**OFFICE OF PERSONNEL MANAGEMENT (OPM)**

**OFFICE OF PERSONNEL MANAGEMENT**

**5 CFR Ch. I**

**Regulatory Agenda**

**AGENCY:** Office of Personnel Management.

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** The following Office of Personnel Management (OPM) regulations are scheduled for development or review during the 6-month period following publication. This agenda carries out OPM's responsibilities to publish a semiannual agenda under Executive Order 12866 "Regulatory Planning and Review" and the Regulatory Flexibility Act (5 U.S.C. chapter 6). This publication in the

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

**FOR FURTHER INFORMATION CONTACT:** Stephen D. Hickman, (202) 606-1973.

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

Office of Personnel Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3132	Employment in the Excepted Service .....	3206-AH83
3133	Amendment of Federal Policy Regarding the Collection and Protection of Social Security Numbers .....	3206-AL24
3134	Freedom of Information Act (FOIA) Regulations .....	3206-AK53
3135	Privacy Act Regulations .....	3206-AK54
3136	Testimony by OPM Employees and Production of Official Records in Legal Proceedings .....	3206-AL22
3137	Time-In Grade Rule Eliminated .....	3206-AL18
3138	Disabled Veterans Documentation .....	3206-AL29
3139	Recruitment, Selection, and Placement (General) .....	3206-AL04
3140	Recruitment and Selection Through Competitive Examination .....	3206-AL13
3141	Merit Promotion and Internal Placement .....	3206-AI20
3142	Qualification Requirements (General) .....	3206-AL15
3143	Other Than Full-Time Employment (Part-Time, Seasonal, and Intermittent) .....	3206-AI22
3144	Representative Rate; Order of Release From Competitive Level; Assignment Rights .....	3206-AL19
3145	Reemployment Rights .....	3206-AI19
3146	Medical Qualification Determinations .....	3206-AL14
3147	Training and Executive Management and Supervisory Development .....	3206-AK75
3148	SES Performance Pay .....	3206-AL25
3149	Critical Position Pay Authority .....	3206-AK87
3150	Pay Administration; Availability Pay for Criminal Investigators .....	3206-AJ49
3151	Nonforeign Area Cost-of-Living Allowance Rates—Alaska, Puerto Rico, U.S. Virgin Islands, Hawaii, and Guam .....	3206-AL28
3152	Political Activities of Federal Employees .....	3206-AL23
3153	Amendments To Clarify Adverse Action Rules .....	3206-AL30
3154	Retirement—Court Orders Awarding Survivor Annuities; Correcting or Supplementing the First Order Dividing Marital Property .....	3206-AG28
3155	Federal Employees' Health Benefits Program Administrative Sanctions Clarifications .....	3206-AL16
3156	Procedures for States and Localities To Request Indemnification .....	3206-AK68
3157	Office of Personnel Management Guidance on Nonprocurement Suspension and Debarment of Common Rule .....	3206-AL17
3158	Internal Revenue Service Broadbanding Systems .....	3206-AL02

Office of Personnel Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3159	Veterans' Preference ( <b>Section 610 Review</b> ) .....	3206-AL33
3160	Human Resources Management in Agencies .....	3206-AJ92
3161	Changes in Pay Administration Rules for General Schedule Employees .....	3206-AK88
3162	Reasonable Accommodation Language for Vacancy Announcements .....	3206-AJ11
3163	Recruitment and Selection Through Competitive Examination .....	3206-AJ52
3164	Awards .....	3206-AJ65
3165	Recruitment, Relocation, and Retention Incentives .....	3206-AK81
3166	General Schedule Locality Pay Areas .....	3206-AL27
3167	Repayment of Student Loans .....	3206-AK51
3168	Allotments From Federal Employees .....	3206-AJ88
3169	Pay Administration (General) .....	3206-AK74

## OPM

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

Sequence Number	Title	Regulation Identifier Number
3170	Locality-Based Comparability Payments and Evacuation Payments .....	3206-AL09
3171	Pay Administration Under the Fair Labor Standards Act .....	3206-AK89
3172	Reemployment of Civilian Retirees To Meet Exceptional Employment Needs .....	3206-AI32
3173	Allowances and Differentials .....	3206-AL07
3174	Nonforeign Area Cost-of-Living Allowance Rates; Puerto Rico and the U.S. Virgin Islands .....	3206-AL12
3175	Emergency Leave Transfer Program .....	3206-AL26
3176	Suitability .....	3206-AL08
3177	National Security Investigations .....	3206-AC21
3178	Investigations .....	3206-AB92
3179	Retirement; Coverage—Nonappropriated Fund Instrumentalities .....	3206-AH57
3180	Retirement—State Income Tax Withholding Instrumentalities .....	3206-AH62
3181	Coverage for Certain Employees of the District of Columbia .....	3206-AI02
3182	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
3183	Continuation of Eligibility for Certain Civil Service Benefits for Former Federal Employees of the Civilian Marksmanship Program .....	3206-AJ55
3184	Correction of Retirement Coverage Errors Under the Federal Erroneous Retirement Coverage Correction Act .....	3206-AJ38
3185	Retirement—General Administration .....	3206-AI83
3186	Retirement—FERS Basic Annuity .....	3206-AE73
3187	Retirement—Credit for Military Service .....	3206-AG58
3188	Retirement Coverage of Air Traffic Controllers .....	3206-AK73
3189	Retirement—Credit for Certain Government Service Performed Abroad .....	3206-AK84
3190	Retirement—FERS Elections of Coverage .....	3206-AG96
3191	Retirement Coverage and Service Credit Elections Available to Current and Former Nonappropriated Fund Employees .....	3206-AJ72
3192	Federal Employees' Group Life Insurance (FEGLI) Program: Expanded Opportunities To Elect Coverage, Miscellaneous Changes and Clarifications, and Plain Language Rewrite .....	3206-AG63
3193	Federal Employees' Health Benefits (FEHB) Program: Waiver of Requirements for Continued Coverage During Retirement .....	3206-AI62
3194	Federal Employee Dental and Vision Benefits .....	3206-AL03
3195	Federal Executive Boards .....	3206-AJ68
3196	General and Miscellaneous .....	3206-AJ97

## Office of Personnel Management—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3197	SES Performance Management System Certification .....	3206-AL20

## Office of Personnel Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3198	Agency Authority To Take Personnel Actions in a National Emergency .....	3206-AK65
3199	Veterans' Preference .....	3206-AL00
3200	Enterprise Human Resource Integration (EHRI) .....	3206-AK40
3201	Employment in the Senior Executive Service, Restoration to Duty From Uniformed Service or Compensable Injury, Pay Administration (General), and Pay Administration Under the Fair Labor Standards Act .....	3206-AL21
3202	Awards .....	3206-AL06
3203	Classification Under the General Schedule and Prevailing Rate System .....	3206-AH38
3204	Job Grading Reviews and Appeals of Federal Wage System Employees .....	3206-AI14
3205	Implementation of Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002—Reporting and Best Practices .....	3206-AK55
3206	Federal Long-Term Care Insurance Program: Miscellaneous Changes, Corrections, and Clarifications .....	3206-AK99

OPM

Office of Personnel Management—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
3207	Federal Employees' Health Benefits (FEHB) Program: Payment of Premiums for Periods of Leave Without Pay or Insufficient Pay .....	3206-AG66
3208	Suspension of Peace Corps Eligibles' Enrollment in the Federal Employees Health Benefits (FEHB) Program .....	3206-AK90
3209	Federal Employees' Health Benefits Program: Discontinuance of Health Plan in an Emergency .....	3206-AK95
3210	FEHB Coverage and Premiums for Active Duty Members of the Military .....	3206-AK98
3211	Implementation of Flexible Spending Accounts for Executive Branch Federal Employees Participating in the Federal Employees' Health Benefits Program .....	3206-AJ66
3212	Programs for Specific Positions and Examinations (Miscellaneous) .....	3206-AK86
3213	Solicitation of Federal Civilian and Uniformed Service Personnel for Contributions to Private Voluntary Organizations—Eligibility and Public Accountability Standards .....	3206-AL05

Office of Personnel Management (OPM)

Proposed Rule Stage

**3132. EMPLOYMENT IN THE EXCEPTED SERVICE**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 5 CFR 213

**Legal Deadline:** None

**Abstract:** The revised regulations will make it easier for agencies to appoint persons in the excepted service, by allowing them to create better and more efficient employment procedures

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Christina Vay, Division of Strategic Human Resources, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0960  
Fax: 202 606-2329  
Email: christina.vay@opm.gov

**RIN:** 3206-AH83

**3133. • AMENDMENT OF FEDERAL POLICY REGARDING THE COLLECTION AND PROTECTION OF SOCIAL SECURITY NUMBERS**

**Priority:** Other Significant. Major under 5 USC 801.

**Unfunded Mandates:** This action may affect State, local or tribal governments.

**Legal Authority:** 5 USC 2951

**CFR Citation:** 5 CFR 293

**Legal Deadline:** None

**Abstract:** This rule is designed to achieve a consistent and effective policy for the use of Social Security Number(s) by Federal agencies to combat identity theft. This proposed regulation imposes significant restrictions on the use of Social security Number throughout the Federal Government and is consistent with the recommendations made by the President's Identity Theft Task Forces.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Federalism:** This action may have federalism implications as defined in EO 13132.

**Agency Contact:** Leroy McKnight, Division for Strategic Human Resources Policy (SHRP), Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-2463  
Fax: 202 606-1719  
Email: lmcknight@opm.gov

**RIN:** 3206-AL24

**3134. 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	09/00/07	
NPRM Comment	02/00/08	
Period End		
Final Action	06/00/08	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 3206-AK53

**3135. PRIVACY ACT REGULATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 552

## OPM

## Proposed Rule Stage

**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	09/00/07	
NPRM Comment Period End	05/00/08	
Final Action	12/00/08	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 3206-AK54

**3136. • TESTIMONY BY OPM EMPLOYEES AND PRODUCTION OF OFFICIAL RECORDS IN LEGAL PROCEEDINGS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC App (Ethics in Government Act of 1978, sec 401); 44 USC 3101 to 3107; 44 USC 3301 to 3303a; 44 USC 3308 to 3314

**CFR Citation:** 5 CFR 298

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management seeks public comment on a proposed rule that would set forth procedures that requesters would have to follow when making demands or requests to an OPM employee to produce official records and information, and provide testimony relating to official information, in connection with a legal proceeding in which OPM is not a party. As proposed, this rule would establish procedures to respond to such demands and requests in an orderly and consistent manner. The proposed rule, among other benefits, will promote uniformity in decisions, protect confidential information, provide

guidance to requesters, and reduce the potential for both inappropriate disclosures of official information and wasteful allocation of agency resources.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kathie Whipple, Deputy General Counsel, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-1700  
Email: kathie.whipple@opm.gov

**RIN:** 3206-AL22

**3137. TIME-IN GRADE RULE ELIMINATED**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 552; 5 USC 1104; 5 USC 3301

**CFR Citation:** 5 CFR 300

**Legal Deadline:** None

**Abstract:** The abolishment of the time-in-grade restriction on advancement to positions in the General Schedule would eliminate the 52-week service requirement for promotions. If the requirement is abolished, employees must continue to meet qualification requirements which may require certain lengths of experience.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Christina Vay, Division of Strategic Human Resources, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0960  
Fax: 202 606-2329  
Email: christina.vay@opm.gov

**Related RIN:** Duplicate of 3206-AG06

**RIN:** 3206-AL18

**3138. • DISABLED VETERANS DOCUMENTATION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 3112

**CFR Citation:** 5 CFR 315

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) proposes to revise its regulation regarding documentation required for non-competitive temporary and term appointments, and conversion of 30 percent or more disabled veterans from non-permanent appointments. The Department of Veterans Affairs considers any VA disability letter issued in 1991, or later as proof of a permanent disability, unless the letter states otherwise.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Darlene Phelps, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0960  
Fax: 202 606-0390  
Email: darlene.phelps@opm.gov

**RIN:** 3206-AL29

**3139. RECRUITMENT, SELECTION, AND PLACEMENT (GENERAL)**

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

**Legal Authority:** 5 USC 101; 5 USC 1104; 5 USC 1302; 5 USC 3301

**CFR Citation:** 5 CFR 330

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) is proposing to revise the rules on Federal vacancy announcements, reemployment priority list requirements, positions restricted to preference eligibles, time after competitive appointment, the Career Transition Assistance Plan (CTAP), and the Interagency CTAP. The proposed rules enhance the clarity of the regulations, memorialize certain longstanding OPM policies, remove expired statutory placement assistance

## OPM

## Proposed Rule Stage

programs, reorganize information for ease of reading, and revise certain placement assistance program provisions for consistency and program improvements.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Pam Galemore, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0960  
Fax: 202 606-2329  
Email: pamelagalem@opm.gov  
**RIN:** 3206-AL04

### 3140. RECRUITMENT AND SELECTION THROUGH COMPETITIVE EXAMINATION

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 1104; 5 USC 1302; 5 USC 3301 to 3302

**CFR Citation:** 5 CFR 332

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) is proposing to amend its regulations governing recruitment and selection through competitive examination primarily to clarify the distinction between objections, pass overs, and suitability determinations. OPM is also proposing to amend the definition section of this part to make the regulations more readable and to remove the section in this part dealing with filling certain postmaster positions because the information is obsolete.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Linda Watson, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415

Phone: 202 606-2329  
Fax: 202 606-2329  
Email: linda.watson@opm.gov  
**RIN:** 3206-AL13

### 3141. MERIT PROMOTION AND INTERNAL PLACEMENT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 3301 to 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	09/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Pam Galemore, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0960  
Fax: 202 606-2329  
Email: pamelagalem@opm.gov  
**RIN:** 3206-AL20

### 3142. QUALIFICATION REQUIREMENTS (GENERAL)

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

**Legal Authority:** 5 USC 3301 to 3302; 5 USC 3304

**CFR Citation:** 5 CFR 338

**Legal Deadline:** None

**Abstract:** This is part of OPM's attempt to review and revise regulations for clarity, and to include website address of where qualification standards maybe reviewed.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/08	

### Regulatory Flexibility Analysis

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Cynthia Diane, Division for Strategic Human Capacity Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0830  
Fax: 202 606-2329  
Email: cynthia.diane@opm.gov  
**RIN:** 3206-AL15

### 3143. 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; modifies seasonal employment, and includes plain language changes.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Diane Tyrell, Division for Strategic Human Resources Policy, Center for Talent and Capacity Policy, Staffing Group, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0960  
Fax: 202 606-2329  
Email: diane.tyrell@opm.gov  
**RIN:** 3206-AI22

### 3144. REPRESENTATIVE RATE; ORDER OF RELEASE FROM COMPETITIVE LEVEL; ASSIGNMENT RIGHTS

**Priority:** Other Significant

**Legal Authority:** 5 USC 3502(a)

**CFR Citation:** 5 USC 351

**Legal Deadline:** None

## OPM

## Proposed Rule Stage

**Abstract:** These regulations clarify representative rate as used in OPM's retention regulations. Specifically, these regulations clarify how an Agency determines employees' retention rights when the Agency has positions in one or more pay bands. These regulations also clarify the order in which an Agency releases employees from a competitive level. Finally, these regulations clarify how an Agency determines employees' retention rights when a competitive area includes more than one local commuting area.

**Timetable:**

Action	Date	FR Cite
NPRM	03/15/07	72 FR 12122
NPRM Comment Period End	05/14/07	

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

**Agency Contact:** Thomas A. Glennon, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-2205  
Fax: 202 606-2329  
Email: taglenno@opm.gov

**RIN:** 3206-AL19**3145. 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, and to eliminate entitlement to an equalization allowance upon return to Federal service. The current regulations require updates because the provisions are outdated.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/07	

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

**Agency Contact:** Sharon Ginley, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0960  
Fax: 202 606-0390  
Email: sharon.ginley@opm.gov

**RIN:** 3206-AL19**3146. MEDICAL QUALIFICATION DETERMINATIONS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 5 USC 3301 to 3302; 5 USC 3312(b); 5 USC 3318(b)**CFR Citation:** 5 CFR 339**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) is proposing to amend its regulations governing medical qualifications determinations primarily to update references and language, add definitions, clarify coverage and applicability, and address the need for medical testing/examination or medical documentation of an employee whose job has no physical standards or physical requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/07	

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

**Agency Contact:** Phil Spottswood, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-1389  
Fax: 202 606-2329  
Email: phil.spottswood@opm.gov

**RIN:** 3206-AL14**3147. TRAINING AND EXECUTIVE MANAGEMENT AND SUPERVISORY DEVELOPMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 41**CFR Citation:** 5 CFR 410; 5 CFR 412**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/07	

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

**Agency Contact:** Loretta Reeves, Division for Strategic Human Resources Policy, Leadership Development Group, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-8046  
Fax: 202 606-1637  
Email: sespolicy@opm.gov

**RIN:** 3206-AK75**3148. • SES PERFORMANCE PAY****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5382 to 5384**CFR Citation:** 5 CFR 534**Legal Deadline:** None

**Abstract:** Regulations will revise existing regulations at 5 CFR 534, subpart D, drawing from lessons learned from the first 3 years of SES performance pay.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/08	

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

## OPM

## Proposed Rule Stage

**Agency Contact:** Paul R. Thompson, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-8046  
Fax: 202 606-1637  
Email: sespolicy@opm.gov  
**RIN:** 3206-AL25

**3149. CRITICAL POSITION PAY AUTHORITY****Priority:** Other Significant**Legal Authority:** 5 USC 5377**CFR Citation:** 5 CFR 535**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) is proposing new regulations to govern the use of a critical position pay authority that allows higher rates of pay for positions that require a very high level of expertise in a scientific, technical, professional, or administrative field and are critical to the agency's mission. By law, agency requests for critical position pay authority must be approved by OPM in consultation with the Office of Management and Budget.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/07	
NPRM Comment Period End	08/00/07	
Final Action	01/00/08	

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

**Agency Contact:** Joe Ratcliffe, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-2838  
Fax: 202 606-4264  
Email: pay-performance-policy@opm.gov  
**RIN:** 3206-AK87

**3150. PAY ADMINISTRATION; AVAILABILITY PAY FOR CRIMINAL INVESTIGATORS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5545(h); 5 USC 5548**CFR Citation:** 5 CFR 550**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/23/94	59 FR 66149
Second Interim Final Rule	01/29/99	64 FR 4517
NPRM	03/00/08	

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

**Agency Contact:** Vicki Draper, Division of Strategic Human Resources Policy, Center for Pay and Leave Administration, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-2858  
Fax: 202 606-0824  
Email: pay-performance-policy@opm.gov  
**RIN:** 3206-AJ49

**3151. • NONFOREIGN AREA COST-OF-LIVING ALLOWANCE RATES—ALASKA, PUERTO RICO, U.S. VIRGIN ISLANDS, HAWAII, AND GUAM****Priority:** Other Significant**Legal Authority:** 5 USC 5941**CFR Citation:** 5 CFR 591**Legal Deadline:** None

**Abstract:** The Office of Personnel Management is publishing a proposed regulation to change the cost-of-living allowance rates received by certain white-collar Federal and U.S. Postal Service employees in Alaska, Puerto Rico, U.S. Virgin Islands, Hawaii and Guam. The changes are the result of living-cost surveys conducted by OPM in 2006, and interim adjustments OPM calculated based on relative Consumer Price Index differences between the cost-of-living allowance areas and the Washington, DC, area.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/07	

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

**Agency Contact:** J. Stanley Austin, Division for Strategic Human Resources Policy, Salary Wage Systems Group, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-2838  
Fax: 202 606-4264  
Email: cola@opm.gov  
**RIN:** 3206-AL28

**3152. • POLITICAL ACTIVITIES OF FEDERAL EMPLOYEES****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 5 USC 1103 to 1104; 5 USC 7325; Reorganization Plan No. 2 of 1978; 92 Stat. 3783; 3 CFR 1978 Comp. p. 264.

**CFR Citation:** 5 CFR 734**Legal Deadline:** None

**Abstract:** The regulatory proposal includes four categories of proposed amendments. Most of the proposed amendments reflect interpretations of the Hatch Act found in advisory opinions of the United States Office of Special Counsel, as well as in decisions of the United States Court of Appeals for the Federal Circuit, the Merit Systems Protection Board, and the former United States Civil Service Commission, since the last time the regulations were amended.

The first category includes amendments that would elaborate upon and modify selected existing definitions for clarity. The second category includes amendments that would add more examples of prohibited and permitted activity. The third category includes proposed editorial changes that would tighten the organization of part 734 and remove redundancies. Finally, the fourth category would update the regulatory list of sensitive agencies and positions in 5 CFR 734.401 to substitute the National Geospatial Intelligence Agency for the Central Imagery Office, and to add Administrative Appeals Judge positions described in 5 U.S.C. section 5372b. These proposed amendments reflect Congressional amendment of the statutory list of sensitive agencies and positions in 5 U.S.C. section 7323(b).



## OPM

## Proposed Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/07	

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

**Agency Contact:** Joann Chabot, Office of the General Counsel, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0092

**RIN:** 3206-AL23**3153. • AMENDMENTS TO CLARIFY ADVERSE ACTION RULES****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 7504; 5 USC 7514; 5 USC 7543**CFR Citation:** 5 CFR 752**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) proposes to amend its regulations governing Federal adverse actions. The proposed amendments would: Clarify the adverse action rules regarding employee coverage, indefinite suspension, and reductions in pay. In addition, OPM proposes to remove unnecessary subparts pertaining to statutory requirements, make a number of technical corrections, and utilize consistent language for similar regulatory requirements. OPM also proposes various revisions to make the regulations more readable.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/07	

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

**Agency Contact:** Sharon L. Mayhew, Division for Strategic Human Resources Policy (SHRP), Office of Personnel Management, 1900 E. Street NW., Washington, DC 20415  
Phone: 202 606-2930  
Fax: 202 606-2613  
Email: cwrap@opm.gov

**RIN:** 3206-AL30**3154. 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	03/00/08	

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

**Agency Contact:** Patrick Jennings, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415-0001  
Phone: 202 606-0299  
Email: combox@opm.gov

**RIN:** 3206-AG28**3155. FEDERAL EMPLOYEES' HEALTH BENEFITS PROGRAM ADMINISTRATIVE SANCTIONS CLARIFICATIONS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 5 USC 8902**CFR Citation:** 5 CFR 890**Legal Deadline:** None

**Abstract:** This rule would amend several provisions of the regulations implementing the FEHBP health care provider administrative sanctions statute in order to (a) Clarify language that has been subject to misinterpretation by persons to whom the regulation applies and (b) improve procedural efficiency of OPM's administrative sanctions operations, without affecting the rights of any individual subject to the regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/08	

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

**Agency Contact:** J. David Cope, Debarring Official, Office of the Inspector General, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-2851  
Fax: 202 606-2153  
Email: jdcope@opm.gov

**RIN:** 3206-AL16**3156. 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	12/00/07	

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

**Agency Contact:** Mark Pekrul, Federal Investigative Services Division, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-1122  
Fax: 202 606-2372  
Email: mark.pekrul@opm.gov

**RIN:** 3206-AK68

## OPM

## Proposed Rule Stage

**3157. OFFICE OF PERSONNEL MANAGEMENT GUIDANCE ON NONPROCUREMENT SUSPENSION AND DEBARMENT OF COMMON RULE**

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

**Legal Authority:** OMB Controller's April 4, 2006 Memorandum; 2 CFR 180.35

**CFR Citation:** 5 CFR 919

**Legal Deadline:** None

**Abstract:** This regulatory action will implement OMB's instructions on replacing agency-specific issuances of the Nonprocurement Suspension and Debarment Common Rule with a brief part in 2 CFR chapter 17, indicating that OPM is adopting the guidance OMB issued as 2 CFR part 180 on August 31, 2005, and providing OPM guidance to supplement the OMB guidance

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/08	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** J. David Cope, Debarment Official, Office of the Inspector General, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-2851  
Fax: 202 606-2153  
Email: jdcope@opm.gov

**RIN:** 3206-AL17

**3158. INTERNAL REVENUE SERVICE BROADBANDING SYSTEMS**

**Priority:** Other Significant

**Legal Authority:** 5 USC 9509(b)

**CFR Citation:** 5 CFR 9501

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) is issuing proposed regulations to revise the criteria for Internal Revenue Service (IRS) broadbanding systems. The proposed regulations would provide the Department of the Treasury with the flexibility, in coordination with OPM, to establish broader pay bands for covered IRS employees. The proposed

regulations also would establish a more direct relationship between pay and performance. Finally, the proposed regulations would revise the criteria consistent with the changes in the General Schedule pay administration rules made by the Federal Workforce Flexibility Act of 2004 and OPM implementing regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 3206-AL02

## Office of Personnel Management (OPM)

## Final Rule Stage

**3159. • VETERANS' PREFERENCE (SECTION 610 REVIEW)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 1302

**CFR Citation:** 5 CFR 211

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) is issuing interim regulations to implement a change to the definition of "active duty" contained in section 211.102(f) of title 5, Code of Federal Regulations. We are making this change in response to a Merit System Protection Board (MSPB) decision that affects eligibility for veterans' preference based on a service-connected disability. This action will conform OPM's regulations with MSPB's decision.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Scott A. Wilander, Division of Strategic Human Resources, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0390  
Email: scott.wilander@opm.gov

**Related RIN:** Related to 3206-AL00

**RIN:** 3206-AL33

**3160. 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 final regulations to: (1) Make subpart A of 5 CFR 250 more readable; and (2) implement the requirement in Public Law 107-296, section 1304 for OPM

to design a set of systems and metrics for assessing human capital management by Federal agencies.

**Timetable:**

Action	Date	FR Cite
NPRM	05/23/06	71 FR 29593
NPRM Comment Period End	07/24/06	
Final Action	06/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**URL For More Information:**

[http://www.opm.gov/strategic\\_management\\_of\\_human\\_capital/index.asp](http://www.opm.gov/strategic_management_of_human_capital/index.asp)

**URL For Public Comments:**

<http://frwebgate.access.gpo.gov/cgi-bin/leaving.cgi?from=leavingfr.html&log=linklog&to=http://www.regulations.gov>

**Agency Contact:** Chuck Grimes, Division for Strategic Human Resources

## OPM

## Final Rule Stage

Policy, Center for Performance and Pay Systems Design, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 418-3163  
Fax: 202 606-2548  
Email: chuck.grimes@opm.gov

RIN: 3206-AJ92

### 3161. CHANGES IN PAY ADMINISTRATION RULES FOR GENERAL SCHEDULE EMPLOYEES

**Priority:** Other Significant

**Legal Authority:** Section 301 of PL 108-411; 5 USC 3596; 5 USC 5304 to 5305;

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

**Legal Deadline:** None

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

#### Timetable:

Action	Date	FR Cite
Interim Final Rule	05/31/05	70 FR 31278
Correction	12/19/05	70 FR 74995
Final Action	03/00/08	

#### Regulatory Flexibility Analysis

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

RIN: 3206-AK88

### 3162. REASONABLE ACCOMMODATION LANGUAGE FOR VACANCY ANNOUNCEMENTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 1302; 5 USC 3301 to 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	
Interim Final Rule Comment Period End	02/11/02	
Final Action	12/00/07	

#### Regulatory Flexibility Analysis

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Linda Watson, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-2329  
Fax: 202 606-2329  
Email: linda.watson@opm.gov

Karen Church, Division for Strategic Human Resources Policy, Center for Talent and Capacity Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0830  
Fax: 202 606-2329  
Email: karen.church@opm.gov

**CFR Citation:** 5 CFR 332

**Legal Deadline:** None

### 3163. RECRUITMENT AND SELECTION THROUGH COMPETITIVE EXAMINATION

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 3301 to 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	
Interim Final Rule Comment Period End	04/16/02	
Final Action	12/00/07	

#### Regulatory Flexibility Analysis

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Linda Watson, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-2329  
Fax: 202 606-2329  
Email: linda.watson@opm.gov

RIN: 3206-AJ52

### 3164. AWARDS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 4507

**CFR Citation:** 5 CFR 451, subpart C

**Legal Deadline:** None

**Abstract:** Regulations at 5 CFR 451, 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	09/00/07	

#### Regulatory Flexibility Analysis

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

## OPM

## Final Rule Stage

**Agency Contact:** Karen English,  
Division for Strategic Human Resources  
Policy, Office of Personnel  
Management, 1900 E Street NW.,  
Washington, DC 20415  
Phone: 202 606-8046  
Fax: 202 606-1637  
Email: sespolicy@opm.gov  
**RIN:** 3206-AJ65

**3165. RECRUITMENT, RELOCATION,  
AND RETENTION INCENTIVES****Priority:** Other Significant**Legal Authority:** 5 USC 5307; 5 USC  
5753 to 5754**CFR Citation:** 5 CFR 530; 5 CFR 575**Legal Deadline:** None

**Abstract:** The Office of Personnel Management is issuing final regulations to implement a provision of the Federal Workforce Flexibility Act of 2004 that provides agencies with the authority to pay recruitment, relocation, and retention incentives to employees. The new authorities will provide agencies with additional flexibility to help recruit and retain employees and better meet agency strategic human capital needs.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/13/05	70 FR 25732
Correction	12/19/05	70 FR 74995
Final Action	09/00/07	

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

**Agency Contact:** Jeanne Jacobson,  
Division for Strategic Human Resources  
Policy, Pay and Leave Administration  
Group, Office of Personnel  
Management, 1900 E Street NW.,  
Washington, DC 20415  
Phone: 202 606-2858  
Fax: 202 606-0824  
Email: pay-performance-  
policy@opm.gov  
**RIN:** 3206-AK81

**3166. • GENERAL SCHEDULE  
LOCALITY PAY AREAS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5304**CFR Citation:** 5 CFR 531**Legal Deadline:** None

**Abstract:** On behalf of the President's Pay Agent, the Office of Personnel Management is issuing interim regulations on the locality pay program for General Schedule and certain other employees. The interim regulations add Whatcom County, WA, to the Seattle locality pay area, and make a number of changes in the official names of locality pay areas to correspond to revised names of Metropolitan Statistical Areas and Combined Statistical Areas as established by the Office of Management and Budget.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/00/07	
Interim Final Rule Effective	06/00/07	
Interim Final Rule Comment Period End	07/00/07	
Final Action	11/00/07	
Final Action Effective	12/00/07	

**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, 1900 E Street NW.,  
Washington, DC 20415  
Phone: 202 606-2838  
Fax: 202 606-4264  
Email: aghearne@opm.gov  
**RIN:** 3206-AL27

**3167. REPAYMENT OF STUDENT  
LOANS****Priority:** Other Significant**Legal Authority:** 5 USC 5379**CFR Citation:** 5 CFR 537**Legal Deadline:** None

**Abstract:** The Office of Personnel Management is issuing final 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.

**Timetable:**

Action	Date	FR Cite
NPRM	01/09/07	72 FR 914
NPRM Comment Period End	03/12/07	
Final Action	12/00/07	

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

**Agency Contact:** Vicki Draper,  
Division of Strategic Human Resources  
Policy, Center for Pay and Leave  
Administration, Office of Personnel  
Management, 1900 E Street NW.,  
Washington, DC 20415  
Phone: 202 606-2858  
Fax: 202 606-0824  
Email: pay-performance-  
policy@opm.gov  
**RIN:** 3206-AK51

**3168. ALLOTMENTS FROM FEDERAL  
EMPLOYEES****Priority:** Other Significant**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 final regulations on the use of OPM's allotment authority to allow for salary reductions made as part of a flexible benefits plan.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/17/06	71 FR 66827
Interim Final Rule Effective	12/18/06	
Interim Final Rule Comment Period End	01/16/07	
Final Action	12/00/07	

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

**Agency Contact:** Brenda Roberts,  
Division for Strategic Human Resources  
Policy, Center for Pay and Leave  
Administration, Office of Personnel  
Management, 1900 E Street NW.,  
Washington, DC 20415  
Phone: 202 606-2858  
Fax: 202 606-0824  
Email: pay-performance-  
policy@opm.gov  
**RIN:** 3206-AJ88

**3169. PAY ADMINISTRATION  
(GENERAL)****Priority:** Other Significant**Legal Authority:** 5 USC 5550b

## OPM

## Final Rule Stage

**CFR Citation:** 5 CFR 550**Legal Deadline:** None

**Abstract:** The Office of Personnel Management is issuing final regulations on 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	04/00/07	

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

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

**RIN:** 3206-AK74**3170. LOCALITY-BASED COMPARABILITY PAYMENTS AND EVACUATION PAYMENTS****Priority:** Other Significant**Legal Authority:** 5 USC 5115; 5 USC 5307; 5 USC 5338**CFR Citation:** 5 CFR 530; 5 CFR 550**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) is issuing final regulations concerning pay actions for employees affected by a pandemic health crisis.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/17/06	71 FR 47692
Interim Final Rule Effective	09/18/06	
Interim Final Rule Comment Period End	10/16/06	
Final Action	12/00/07	

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

**Agency Contact:** Vicki Draper, Division of Strategic Human Resources

Policy, Center for Pay and Leave Administration, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-2858  
Fax: 202 606-0824  
Email: pay-performance-policy@opm.gov

**RIN:** 3206-AL09**3171. PAY ADMINISTRATION UNDER THE FAIR LABOR STANDARDS ACT****Priority:** Other Significant**Legal Authority:** 29 USC 201 et seq**CFR Citation:** 5 CFR 551**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) proposes to issue a final rule 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	07/25/06	71 FR 30301
Final Action	10/00/07	

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

**Agency Contact:** Georgeanna Emery, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-7977  
Fax: 202 606-4981  
Email: georgeanna.emery@opm.gov

**RIN:** 3206-AK89**3172. REEMPLOYMENT OF CIVILIAN RETIREES TO MEET EXCEPTIONAL EMPLOYMENT NEEDS****Priority:** Other Significant**Legal Authority:** 5 USC 8344; 5 USC 8468**CFR Citation:** 5 CFR 553**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) is issuing proposed regulations to amend the criteria under

which OPM may grant dual compensation (salary offset) waivers on a case-by-case basis, or delegate waiver authority to agencies. This amendment clarifies that OPM may grant or delegate to agencies the authority to grant such waivers in situations resulting from emergencies posing an immediate and direct threat to life or property or situations resulting from unusual circumstances that do not involve an emergency. The proposed changes will make it easier for agencies to reemploy needed individuals when faced with unusual circumstances. In addition, we are proposing to amend the section headings to avoid redundancy. This amendment is also removing information concerning military employees.

**Timetable:**

Action	Date	FR Cite
NPRM	07/21/06	71 FR 41376
NPRM Comment Period End	09/19/06	
Final Action	04/00/07	

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

**Agency Contact:** Janice Warren, Division for Strategic Human Resources, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-3590  
Email: janice.warren@opm.gov

**RIN:** 3206-AI32**3173. ALLOWANCES AND DIFFERENTIALS****Priority:** Other Significant**Legal Authority:** 5 USC 5903**CFR Citation:** 5 CFR 591**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) is issuing final regulations to increase the maximum annual uniform allowance rate from \$400 to \$800. When civilian Federal employees are required to wear a uniform in the performance of their duties, agencies must pay a uniform allowance or furnish a uniform.

**Timetable:**

Action	Date	FR Cite
NPRM	06/30/06	71 FR 37507
Final Action	05/00/07	

## OPM

## Final Rule Stage

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

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

**RIN:** 3206-AL07
**3174. NONFOREIGN AREA  
COST-OF-LIVING ALLOWANCE  
RATES; PUERTO RICO AND THE U.S.  
VIRGIN ISLANDS**
**Priority:** Other Significant**Legal Authority:** 5 USC 5941**CFR Citation:** 5 CFR 591**Legal Deadline:** None

**Abstract:** The Office of Personnel Management is publishing a proposed regulation to change the cost-of-living allowance rates received by certain white-collar Federal and U.S. Postal Service employees in Alaska, Puerto Rico, and the U.S. Virgin Islands. The changes are the result of living-cost surveys conducted by OPM in 2005 and interim adjustments OPM calculated based on relative Consumer Price Index differences between the cost-of-living allowance areas and the Washington, DC area.

**Timetable:**

Action	Date	FR Cite
NPRM	10/27/06	71 FR 63178
NPRM Comment Period End	12/26/06	
Final Action	06/00/07	

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

**Agency Contact:** J. Stanley Austin,  
Division for Strategic Human Resources  
Policy, Salary Wage Systems Group,  
Office of Personnel Management, 1900  
E Street NW., Washington, DC 20415  
Phone: 202 606-2838  
Fax: 202 606-4264  
Email: cola@opm.gov

**RIN:** 3206-AL12
**3175. • EMERGENCY LEAVE  
TRANSFER PROGRAM**
**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 6391**CFR Citation:** 5 CFR 630**Legal Deadline:** None

**Abstract:** The Office of Personnel Management is issuing interim regulations to revise the rules for returning unused donated annual leave to emergency leave donors, to allow employees of the Judicial branch to donate and receive annual leave in an Agency's voluntary leave bank program, and to allow donated annual leave in an Agency's voluntary leave bank program to be transferred to an emergency leave transfer program administered by another Agency.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/00/07	
Interim Final Rule Effective	08/00/07	
Interim Final Rule Comment Period End	10/00/07	

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

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

**RIN:** 3206-AL26**3176. SUITABILITY****Priority:** Other Significant**Legal Authority:** 5 USC 1302; 5 USC 3301; 5 USC 7301; 5 USC 7701**CFR Citation:** 5 CFR 731**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) will propose to amend its regulations governing Federal employment suitability to authorize agencies to debar from employment for up to three years those found unsuitable, extend the suitability process to those applying for or who are in positions that can be non-

competitively converted to the competitive service, provide additional procedural protections for those found unsuitable for Federal employment, and clarify the scope of authority for the Merit Systems Protection Board to review actions taken under the regulations. OPM is also proposing changes to make the regulations more readable.

**Timetable:**

Action	Date	FR Cite
NPRM	01/18/07	72 FR 2203
NPRM Comment Period End	03/19/07	
Final Action	09/00/07	

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

**Agency Contact:** Gary Wahlert,  
Division for Strategic Human Resources  
Policy, Center for Workforce Relations  
and Accountability, Office of Personnel  
Management, 1900 E Street NW.,  
Washington, DC 20415  
Phone: 202 606-2930  
Fax: 202 606-2613  
Email: cwrap@opm.gov

**RIN:** 3206-AL08
**3177. 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, codify existing policies and reflect several issues that arose in recent years.

**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 Effective Date	10/17/94	
Final Action	03/00/08	

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

## OPM

## Final Rule Stage

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Mark Pekrul, Federal Investigative Services Division, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-1122  
Fax: 202 606-2372  
Email: mark.pekrul@opm.gov

**RIN:** 3206-AC21

### 3178. INVESTIGATIONS

**Priority:** Other Significant

**Legal Authority:** PL 93-579; 5 USC 552a

**CFR Citation:** 5 CFR 736

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/23/91	56 FR 18650
Begin Review	10/01/93	
Interim Final Rule	09/16/94	59 FR 47527
Final Action	03/00/08	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Mark Pekrul, Federal Investigative Services Division, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-1122  
Fax: 202 606-2372  
Email: mark.pekrul@opm.gov

**RIN:** 3206-AB92

### 3179. RETIREMENT; COVERAGE—NONAPPROPRIATED FUND INSTRUMENTALITIES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 8347

**CFR Citation:** 5 CFR 831; 5 CFR 837; 5 CFR 841 to 844; 5 CFR 847

**Legal Deadline:** Final, Statutory, August 9, 1996.

**Abstract:** These regulations implement the provisions of Public Law 104-106

and Public Law 107-107, which allow employees who have been employed by nonappropriated fund instrumentalities under the jurisdiction of the armed forces to obtain retirement credit under limited circumstances.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/09/96	61 FR 41714
Final Action	09/00/07	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** James Giuseppe, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0299  
Fax: 202 606-0990  
Email: combox@opm.gov

**Related RIN:** Related to 3206-AJ72

**RIN:** 3206-AH57

### 3180. 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	09/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patricia A. Rochester, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0299  
Fax: 202 606-0990  
Email: combox@opm.gov

**RIN:** 3206-AH62

### 3181. 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
Interim Final Rule Comment Period End	12/01/97	
Final Action	09/00/07	

**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  
Fax: 202 606-0990  
Email: cynthia.reinhold@opm.gov

**RIN:** 3206-AI02

### 3182. 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

## OPM

## Final Rule Stage

**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 Comment Period End	06/29/99	
Final Action	09/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Karla Yeakle, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0299  
Fax: 202 606-0990  
Email: combox@opm.gov

**RIN:** 3206-AI55

**3183. CONTINUATION OF ELIGIBILITY FOR CERTAIN CIVIL SERVICE BENEFITS FOR FORMER FEDERAL EMPLOYEES OF THE CIVILIAN MARKSMANSHIP PROGRAM**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Sec 1622(b), PL 104-106, 110 Stat 515

**CFR Citation:** 5 CFR 831; 5 CFR 842; 5 CFR 870; 5 CFR 890

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	06/03/02	67 FR 38210
NPRM Comment Period End	08/02/02	
Final Action	09/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Howard T. Newland Jr., Strategic Human Resources Policy Division, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0299  
Fax: 202 606-0990  
Email: combox@opm.gov

**RIN:** 3206-AJ55

**3184. 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 Effective	03/19/01	
Final Action	09/00/07	

**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  
Fax: 202 606-0990

Email: cynthia.reinhold@opm.gov

**RIN:** 3206-AJ38

**3185. 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 Effective	04/20/00	
Final Action	09/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Karla Yeakle, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0299  
Fax: 202 606-0990  
Email: combox@opm.gov

**RIN:** 3206-AI83

**3186. 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



## OPM

## Final Rule Stage

Action	Date	FR Cite
Interim Final Rule	02/11/87	52 FR 4473
Interim Final Rule	02/11/87	52 FR 4479
Interim Final Rule	05/14/87	52 FR 18193
Interim Final Rule	04/08/88	53 FR 11635
Interim Final Rule	02/09/90	55 FR 4598
Final Rule	12/27/90	55 FR 53136
Interim Final Rule	02/19/91	56 FR 6549
Final Action	09/00/07	

**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  
Fax: 202 606-0990  
Email: cynthia.reinhold@opm.gov

**RIN:** 3206-AE73

**3187. 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 to 842.307

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
Final Action	09/00/07	

**Regulatory Flexibility Analysis**  
Required: No

**Government Levels Affected:** None

**Agency Contact:** Christopher H. Ziebarth, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0299  
Fax: 202 606-0990  
Email: combox@opm.gov

**RIN:** 3206-AG58

**3188. RETIREMENT COVERAGE OF AIR TRAFFIC CONTROLLERS**

**Priority:** Other Significant

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

**CFR Citation:** 5 CFR 842

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/06/05	70 FR 32709
Final Action	09/00/07	

**Regulatory Flexibility Analysis**  
Required: No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** James Giuseppe, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0299  
Fax: 202 606-0990  
Email: combox@opm.gov

**RIN:** 3206-AK73

**3189. RETIREMENT—CREDIT FOR CERTAIN GOVERNMENT SERVICE PERFORMED ABROAD**

**Priority:** Other Significant

**Legal Authority:** PL 107-228, sec 321

**CFR Citation:** 5 CFR 842

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/29/05	70 FR 50951
Interim Final Rule Effective	08/29/05	
Final Action	09/00/07	

**Regulatory Flexibility Analysis**  
Required: No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** James Giuseppe, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0299  
Fax: 202 606-0990  
Email: combox@opm.gov

**RIN:** 3206-AK84

**3190. RETIREMENT—FERS ELECTIONS OF COVERAGE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 8347(a); 5 USC 8461(g); PL 99-335, sec 301(d)(3)

**CFR Citation:** 5 CFR 846

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/21/87	52 FR 19235
Interim Final Rule	09/13/93	58 FR 47821
Interim Final Rule	06/18/98	63 FR 33231
Final Action	09/00/07	

**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  
Fax: 202 606-0990

## OPM

## Final Rule Stage

Email: [cynthia.reinhold@opm.gov](mailto:cynthia.reinhold@opm.gov)

RIN: 3206-AG96

### 3191. RETIREMENT COVERAGE AND SERVICE CREDIT ELECTIONS AVAILABLE TO CURRENT AND FORMER NONAPPROPRIATED FUND EMPLOYEES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 8347; 5 USC 8461; PL 107-107, sec 1131; PL 107-107, sec 1132

**CFR Citation:** 5 CFR 847, subpart H; 5 CFR 847, subpart I

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	12/28/01	
Interim Final Rule Final Action	01/16/03 09/00/07	68 FR 2175

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** James Giuseppe, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0299  
Fax: 202 606-0990  
Email: [combox@opm.gov](mailto:combox@opm.gov)

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

**RIN:** 3206-AJ72

### 3192. 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 Comment Period End	12/26/00	
Final Action	03/00/08	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Anne Easton, Retirement and Insurance Services, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0004  
Fax: 202 606-0633  
Email: [anne.easton@opm.gov](mailto:anne.easton@opm.gov)

**RIN:** 3206-AG63

### 3193. FEDERAL EMPLOYEES' HEALTH BENEFITS (FEHB) PROGRAM: WAIVER OF REQUIREMENTS FOR CONTINUED COVERAGE DURING RETIREMENT

**Priority:** Other Significant

**Legal Authority:** 5 USC 8913

**CFR Citation:** 5 CFR 890

**Legal Deadline:** None

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

where a waiver will not be granted by OPM such as when an individual's retirement is based on a disability or an involuntary separation, or when an individual was misadvised by his/her employing office. This final regulation eliminates these specific situations from 5 CFR 890.108 to provide more flexibility to the waiver process.

**Timetable:**

Action	Date	FR Cite
NPRM	08/07/06	71 FR 44592
NPRM Comment Period End	10/06/06	
Final Action	04/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Michael W. Kaszynski, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0004  
Fax: 202 606-0633  
Email: [michael.kaszynski@opm.gov](mailto:michael.kaszynski@opm.gov)

**RIN:** 3206-AI62

### 3194. FEDERAL EMPLOYEE DENTAL AND VISION BENEFITS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 8962 ; 5 USC 8992

**CFR Citation:** 5 CFR 894

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Nataya Battle, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20515

## OPM

## Final Rule Stage

Phone: 202 606-0004  
 Fax: 202 606-0633  
 Email: nataya.battle@opm.gov  
 RIN: 3206-AL03

**3195. 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	08/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Paula L. Bridgham, Division for Human Capital Leadership and Merit System Accountability, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415

Phone: 202 606-1000

Fax: 202 606-3350

Email: plbridgh@opm.gov

RIN: 3206-AJ68

**3196. GENERAL AND MISCELLANEOUS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 CFR 1

**CFR Citation:** 5 CFR 990

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) is removing 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	06/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

Phone: 202 606-1434

Fax: 202 606-2329

Email: hakeem.basheerud-deen@opm.gov

RIN: 3206-AJ97

## Office of Personnel Management (OPM)

## Long-Term Actions

**3197. SES PERFORMANCE MANAGEMENT SYSTEM CERTIFICATION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 5307

**CFR Citation:** 5 CFR 430

**Legal Deadline:** None

**Abstract:** Final regulations will replace interim regulations published in 2004, updating and finalizing the regulations based on lessons learned from 3 years of certifying agency SES and SL/ST performance management systems. Depending on the extent of the changes

to the interim regulations, we may need to issue new proposed rules before moving into the final rule stage.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/29/04	69 FR 45548
Interim Final Rule Comment Period End	08/30/04	
Interim Final Rule Effective	08/30/04	
Final Action	05/00/08	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Paul R. Thompson, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415

Phone: 202 606-8046

Fax: 202 606-1637

Email: sespolicy@opm.gov

**Related RIN:** Previously reported as 3206-AJ86

RIN: 3206-AL20

## Office of Personnel Management (OPM)

## Completed Actions

**3198. AGENCY AUTHORITY TO TAKE PERSONNEL ACTIONS IN A NATIONAL EMERGENCY**

**Priority:** Other Significant

**CFR Citation:** 5 CFR 230

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/09/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Sharon Ginley  
 Phone: 202 606-0960  
 Fax: 202 606-0390

Email: sharon.ginley@opm.gov

RIN: 3206-AK65

**3199. VETERANS' PREFERENCE**

**Priority:** Other Significant

**CFR Citation:** 5 CFR 211

## OPM

## Completed Actions

**Completed:**

Reason	Date	FR Cite
Final Action	03/15/07	72 FR 12031

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Scott A. Wilander

Phone: 202 606-0390

Email: scott.wilander@opm.gov

RIN: 3206-AL00

**3200. ENTERPRISE HUMAN RESOURCE INTEGRATION (EHRI)**

Priority: Other Significant

CFR Citation: 5 CFR 293

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/09/07	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Eric Bryant

Phone: 202 606-2463

Email: eric.bryant@opm.gov

RIN: 3206-AK40

**3201. • EMPLOYMENT IN THE SENIOR EXECUTIVE SERVICE, RESTORATION TO DUTY FROM UNIFORMED SERVICE OR COMPENSABLE INJURY, PAY ADMINISTRATION (GENERAL), AND PAY ADMINISTRATION UNDER THE FAIR LABOR STANDARDS ACT**

Priority: Other Significant

Legal Authority: 5 USC 3392 to 3393; 5 USC 3395; 5 USC 3397; 5 USC 3592 to 3593; 5 USC 3595 to 3596; 5 USC 8414; 5 USC 8421

CFR Citation: 5 CFR 317; 5 CFR 353; 5 CFR 550 to 551

Legal Deadline: None

**Abstract:** The Office of Personnel Management is issuing final regulations to amend a number of rules on pay and leave administration, including employment in the Senior Executive Service, use of paid leave during uniformed service, time limits for using compensatory time off earned in lieu of overtime pay, and other miscellaneous changes. The final regulations are being issued to standardize pay and leave policies in

support of the consolidation of agency human resources and payroll systems.

**Timetable:**

Action	Date	FR Cite
Final Action	03/15/07	72 FR 12032
Final Action Effective	05/14/07	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Phone: 202 606-2858

Fax: 202 606-0824

Email: pay-performance-policy@opm.gov

Related RIN: Split from 3206-AK61

RIN: 3206-AL21

**3202. AWARDS**

Priority: Other Significant

CFR Citation: 5 CFR 451

**Completed:**

Reason	Date	FR Cite
Final Action	01/11/07	72 FR 1267

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Barbara Colchao

Phone: 202 606-2720

Fax: 202 606-2395

Email: pay-performance-policy@opm.gov

RIN: 3206-AL06

**3203. CLASSIFICATION UNDER THE GENERAL SCHEDULE AND PREVAILING RATE SYSTEM**

Priority: Other Significant

CFR Citation: 5 CFR 511, subpart F; 5 CFR 532, subpart G

**Completed:**

Reason	Date	FR Cite
Final Rule Effective	09/28/06	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Andrea J. Bright

Phone: 202 606-3590

Email: ajbright@opm.gov

RIN: 3206-AH38

**3204. JOB GRADING REVIEWS AND APPEALS OF FEDERAL WAGE SYSTEM EMPLOYEES**

Priority: Substantive, Nonsignificant

CFR Citation: 5 CFR 532, subpart G

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/09/07	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Andrea J. Bright

Phone: 202 606-3590

Email: ajbright@opm.gov

Related RIN: Merged with 3206-AH38

RIN: 3206-AI14

**3205. IMPLEMENTATION OF TITLE II OF THE NOTIFICATION AND FEDERAL EMPLOYEE ANTIDISCRIMINATION AND RETALIATION ACT OF 2002—REPORTING AND BEST PRACTICES**

Priority: Other Significant

CFR Citation: 5 CFR 724

**Completed:**

Reason	Date	FR Cite
Final Action	12/28/06	71 FR 78033

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Gary D. Wahlert

Phone: 202 606-2930

Fax: 202 606-2613

Email: nofear@opm.gov

RIN: 3206-AK55

**3206. FEDERAL LONG-TERM CARE INSURANCE PROGRAM: MISCELLANEOUS CHANGES, CORRECTIONS, AND CLARIFICATIONS**

Priority: Other Significant

CFR Citation: 5 CFR 875

**Completed:**

Reason	Date	FR Cite
Final Action	03/15/07	72 FR 12037
Final Action Effective	04/16/07	

## OPM

## Completed Actions

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Anne Easton  
Phone: 202 606-0004  
Fax: 202 606-0633  
Email: anne.easton@opm.gov**RIN:** 3206-AK99**3207. FEDERAL EMPLOYEES' HEALTH BENEFITS (FEHB) PROGRAM: PAYMENT OF PREMIUMS FOR PERIODS OF LEAVE WITHOUT PAY OR INSUFFICIENT PAY****Priority:** Other Significant**CFR Citation:** 5 CFR 890**Completed:**

Reason	Date	FR Cite
Final Rule	02/05/07	72 FR 5151
Final Rule Effective	03/07/07	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Michael W. Kaszynski  
Phone: 202 606-0004  
Fax: 202 606-0633  
Email: michael.kaszynski@opm.gov**RIN:** 3206-AG66**3208. SUSPENSION OF PEACE CORPS ELIGIBLES' ENROLLMENT IN THE FEDERAL EMPLOYEES HEALTH BENEFITS (FEHB) PROGRAM****Priority:** Other Significant**CFR Citation:** 5 CFR 890**Completed:**

Reason	Date	FR Cite
Final Action	11/17/06	71 FR 66828

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Michael W. Kaszynski  
Phone: 202 606-0004  
Fax: 202 606-0633  
Email: michael.kaszynski@opm.gov**RIN:** 3206-AK90**3209. FEDERAL EMPLOYEES' HEALTH BENEFITS PROGRAM: DISCONTINUANCE OF HEALTH PLAN IN AN EMERGENCY****Priority:** Other Significant**CFR Citation:** 5 CFR 890**Completed:**

Reason	Date	FR Cite
Final Action	01/17/07	72 FR 1911

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Anne Easton  
Phone: 202 606-0004  
Fax: 202 606-0633  
Email: anne.easton@opm.gov**RIN:** 3206-AK95**3210. FEHB COVERAGE AND PREMIUMS FOR ACTIVE DUTY MEMBERS OF THE MILITARY****Priority:** Other Significant**CFR Citation:** 5 CFR 890**Completed:**

Reason	Date	FR Cite
Final Action	02/15/07	72 FR 7345

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Michael W. Kaszynski  
Phone: 202 606-0004  
Fax: 202 606-0633  
Email: michael.kaszynski@opm.gov**RIN:** 3206-AK98**3211. IMPLEMENTATION OF FLEXIBLE SPENDING ACCOUNTS FOR EXECUTIVE BRANCH FEDERAL EMPLOYEES PARTICIPATING IN THE FEDERAL EMPLOYEES' HEALTH BENEFITS PROGRAM****Priority:** Substantive, Nonsignificant**CFR Citation:** 5 CFR 892**Completed:**

Reason	Date	FR Cite
Withdrawn	02/09/07	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Anne Easton  
Phone: 202 606-0004  
Fax: 202 606-0633  
Email: anne.easton@opm.gov**RIN:** 3206-AJ66**3212. PROGRAMS FOR SPECIFIC POSITIONS AND EXAMINATIONS (MISCELLANEOUS)****Priority:** Other Significant**CFR Citation:** 5 CFR 930**Completed:**

Reason	Date	FR Cite
Final Action	03/20/07	72 FR 12947
Final Action Effective	04/19/07	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Linda Watson  
Phone: 202 606-2329  
Fax: 202 606-2329  
Email: linda.watson@opm.gov**RIN:** 3206-AK86**3213. SOLICITATION OF FEDERAL CIVILIAN AND UNIFORMED SERVICE PERSONNEL FOR CONTRIBUTIONS TO PRIVATE VOLUNTARY ORGANIZATIONS—ELIGIBILITY AND PUBLIC ACCOUNTABILITY STANDARDS****Priority:** Other Significant**CFR Citation:** 5 CFR 950**Completed:**

Reason	Date	FR Cite
Final Action	11/20/06	71 FR 67276

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Mark W. Lambert  
Phone: 202 606-2564  
Fax: 202 606-0902  
Email: cfc@opm.gov**RIN:** 3206-AL05

[FR Doc. 07-01247 Filed 04-27-07; 8:45 am]

BILLING CODE 6325-44-S