

Rules and Regulations

Federal Register

Vol. 67, No. 24

Tuesday, February 5, 2002

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Parts 330 and 351

RIN 3206-AJ18

Placement Assistance and Reduction in Force Notices

AGENCY: Office of Personnel Management.

ACTION: Final regulations.

SUMMARY: The Office of Personnel Management (OPM) is issuing final placement assistance and reduction in force regulations to replace references to the repealed Job Training Partnership Act with references to the Workforce Investment Act of 1998.

DATES: These regulations are effective February 5, 2002.

FOR FURTHER INFORMATION CONTACT: Pam Galemore, 202-606-0960, FAX 202-606-2329, TDD (202) 606-0023, or e-mail at pjgalemo@opm.gov.

SUPPLEMENTARY INFORMATION: On October 26, 2000, OPM published interim regulations at 65 FR 64133 to replace references to the repealed Job Training Partnership Act (JTPA) with references to its successor statute, the Workforce Investment Act (WIA) of 1998. OPM is making the interim regulations final without further revision.

Background

The JTPA, Public Law 97-300, October 12, 1982, as amended, required the States to provide employment assistance programs to dislocated workers and others as defined in the Act. Since 1995, through OPM regulations published in §§ 330.405, 351.803, and 351.807 of title 5, Code of Federal Regulations (CFR), agencies have been required to give JTPA program information to employees in their specific reduction in force notices.

The JTPA was repealed effective July 1, 2000. States now provide placement assistance programs under the WIA, Public Law 105-220, August 7, 1998. The Omnibus Consolidated and Emergency Supplemental Appropriations Act, Public Law 105-277, section 405, October 21, 1998, amended the reduction in force statute at 5 U.S.C. 3502(d) to reflect this change in the controlling statute.

The interim regulations were issued solely to replace references to the repealed JTPA with references to its successor statute, the WIA. No other wording was changed.

The interim regulations were effective November 27, 2000. Interested parties could submit written comments to OPM concerning the regulations during the 60-day period following publication.

Comments

OPM did not receive any comments on the interim regulations.

Regulatory Flexibility Act

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

Executive Order 12866, Regulatory Review

This rule has been reviewed by the Office of Management and Budget in accordance with Executive Order 12866.

List of Subjects in 5 CFR Parts 330 and 351

Administrative practice and procedure, Armed forces reserves, Government Employees, Individuals with disabilities.

Office of Personnel Management.

Kay Coles James,
Director.

Accordingly, the interim regulations revising 5 CFR parts 330 and 351 which were published at 65 FR 64133 on October 26, 2000, are adopted as final regulations without change.

[FR Doc. 02-2672 Filed 2-4-02; 8:45 am]

BILLING CODE 6325-38-P

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Parts 330, 332, 351, 353

RIN 3206-AJ32

Career Transition Assistance for Surplus and Displaced Federal Employees

AGENCY: Office of Personnel Management.

ACTION: Final rulemaking.

SUMMARY: The Office of Personnel Management (OPM) is issuing final regulations making the current career transition assistance programs permanent to help Federal employees displaced from their jobs by downsizing. These regulations adopt interim regulations published June 4, 2001, as final.

EFFECTIVE DATE: March 7, 2002.

FOR FURTHER INFORMATION CONTACT: Jacqueline Yeatman, (202) 606-0960, FAX (202) 606-2329, or by email at: jryeatma@opm.gov.

SUPPLEMENTARY INFORMATION:

Background

On June 4, 2001, OPM published interim regulations removing the sunset date from the Career Transition Assistance Plan (CTAP) and Interagency Career Transition Assistance Plan (ICTAP). These regulations also permanently eliminated the Interagency Placement Program (IPP), deleting references to the IPP in parts 332, 351 and 353 and replacing them with ICTAP where appropriate.

Comments

Four Federal agencies commented on these regulations. All four agreed with the regulations as published, supporting OPM's decision to permanently replace the IPP with CTAP and ICTAP and to eliminate the agency reporting requirements. One agency suggested that we consider redesignating CTAP as ACTAP (Agency Career Transition Assistance Plan) to reduce confusion between this agency placement program and the ICTAP, the interagency program. We believe the best way to implement such a change would be in conjunction with future proposed regulations.

Executive Order 12866, Regulatory Review

This rule has been reviewed by the Office of Management and Budget in accordance with Executive Order 12866.

Regulatory Flexibility Act

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

List of Subjects in 5 CFR Part 330

Armed forces reserves, Government employees.

Office of Personnel Management.

Kay Coles James,

Director.

Accordingly, the interim rule amending 5 CFR parts 330, 332, 351 and 353 which was published at 66 FR 29895 on June 4, 2001, as adopted as a final rule without change.

[FR Doc. 02-2674 Filed 2-4-02; 8:45 am]

BILLING CODE 6325-38-M

OFFICE OF PERSONNEL MANAGEMENT**5 CFR Part 351**

RIN 3206-AJ14

Reduction in Force Retreat Rights

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The Office of Personnel Management (OPM) is issuing a final regulation that clarifies a released employee's potential right to "Retreat" to another position in a reduction in force. This regulation states that an agency determines the potential grade range of a released employee's retreat right solely upon the position held by the employee on the effective date of the reduction in force rather than the grade range of the position to which the employee may have a right to retreat. **DATES:** This regulation is effective on February 5, 2002.

FOR FURTHER INFORMATION CONTACT: Thomas A. Glennon, FAX 202-606-2329.

SUPPLEMENTARY INFORMATION:**Background**

On October 20, 2000, OPM published an interim regulation at 65 FR 62991 that clarifies OPM's longstanding policy on the procedure that an agency uses to determine a released employee's potential right to "Retreat" to another position in a reduction in force.

The interim regulation stated that an agency determines the grade or grade-interval range of a released employee's retreat rights solely on the basis of the official position of record held by the employee on the effective date of the reduction in force. The regulation also stated that an agency does not consider the grade or grade-interval range of the position to which the employee may have a retreat right.

The interim regulation was effective upon publication in the **Federal Register**. Interested parties could submit written comments to OPM concerning the regulation in the 60 day period following publication.

Comments

OPM did not receive any comments on the regulation.

Final Regulation

The interim regulation OPM published at 65 FR 62991 is published as a final regulation without further revision.

Regulatory Flexibility Act

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

Executive Order 12866, Regulatory Review

This regulation has been reviewed by the Office of Management and Budget in accordance with Executive Order 12866.

List of Subjects in 5 CFR Part 351

Administrative practice and procedure, Government employees.

Office of Personnel Management.

Kay Coles James,

Director.

Accordingly, the interim regulation published at 65 FR 62991 on October 20, 2000, is adopted as final without change.

[FR Doc. 02-2673 Filed 2-4-02; 8:45 am]

BILLING CODE 6325-38-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 23**

[Docket No. CE172; Special Conditions No. 23-110-SC]

Special Conditions: GROB-WERKE, Burkhurt Grob e.k., Unternehmensbereich Luft-und Raumfahrt, Model G120A Airplane, Protection of Systems for High Intensity Radiated Fields (HIRF)

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final special conditions, request for comments.

SUMMARY: These special conditions are issued to GROB-WERKE, Burkhurt Grob e.k., Unternehmensbereich Luft-und Raumfahrt (GROB-WERKE), for a type certificate for the G120A airplane. This airplane will have novel and unusual design features when compared to the state of technology envisaged in the applicable airworthiness standards. These novel and unusual design features include the installation of an electronic attitude direction indicator for which the applicable regulations do not contain adequate or appropriate airworthiness standards for the protection of these systems from the effects of high intensity radiated fields (HIRF). These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to the airworthiness standards applicable to these airplanes.

DATES: The effective date of these special conditions is January 29, 2002. The Federal Aviation Administration (FAA) must receive any comments on this rule on or before March 7, 2002.

ADDRESSES: Submit comments to FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. CE172, 901 Locust, Room 506, Kansas City, Missouri 64106. You may view any comments at this location between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Karl Schletzbaum, Aerospace Engineer, Standards Office (ACE-110), Small Airplane Directorate, Aircraft Certification Service, Federal Aviation Administration, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone 816-329-4146; facsimile 816-329-4149.

SUPPLEMENTARY INFORMATION: The FAA has determined that notice and opportunity for prior public comment hereon are impracticable because these