

**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