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Monday,  
November 22, 1999

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Part XXXVII

**Office of Personnel  
Management**

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Semiannual Regulatory Agenda

**Office of Personnel Management (OPM)**

**OFFICE OF PERSONNEL MANAGEMENT**

**5 CFR Ch. I**

**Regulatory Agenda**

**AGENCY:** Office of Personnel Management.

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** The following Office of Personnel Management (OPM) regulations are scheduled for development or review from October 1,

1999, through September 30, 2000. This agenda carries out OPM's responsibilities to publish a semiannual agenda under E.O. 12866 "Regulatory Planning and Review" and the Regulatory Flexibility Act (5 U.S.C. chapter 6). This publication in the **Federal Register** does not impose a binding obligation on the Office of Personnel Management with regard to any specific item on the agenda. Regulatory action in addition to the items listed is not precluded.

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

**SUPPLEMENTARY INFORMATION:** For this edition of OPM's regulatory agenda, the most important significant regulatory actions are included in The Regulatory Plan, which appears in part II of this issue of the **Federal Register**. The Regulatory Plan entries are listed in the table of contents below and are denoted by a bracketed bold reference, which directs the reader to the appropriate sequence number in part II.

U.S. Office of Personnel Management.

**Janice R. Lachance,**  
*Director.*

**Prerule Stage**

Sequence Number	Title	Regulation Identification Number
3920	Availability of Official Information .....	3206-AG92

**Proposed Rule Stage**

Sequence Number	Title	Regulation Identification Number
3921	Appointments of Persons With Disabilities <b>(Reg Plan Seq No. 145)</b> .....	3206-AI94
3922	Personnel Records .....	3206-AH24
3923	Employment in the Excepted Service .....	3206-AH83
3924	Career and Career-Conditional Appointment Under Special Authorities .....	3206-AG90
3925	Noncompetitive Appointments of Corporation for National Service Employees .....	3206-AH48
3926	Noncompetitive Appointment of Former Peace Corps and Vista Volunteers .....	3206-AI18
3927	Probation on Initial Appointment to a Competitive Position .....	3206-AI47
3928	Merit Promotion and Internal Placement .....	3206-AI20
3929	Clarification of Hiring Authorities .....	3206-AI46
3930	Amendment to Selective Service Registration Requirements .....	3206-AI52
3931	Other Than Full-Time Employment (Part-Time, Seasonal, Intermittent) .....	3206-AI22
3932	Re-Employment Rights .....	3206-AI19
3933	Performance Appraisal in the Senior Executive Service <b>(Reg Plan Seq No. 142)</b> .....	3206-AI57
3934	Classification Appeals of General Schedule Employees .....	3206-AH38
3935	Superior Qualifications Appointments .....	3206-AI00
3936	Locality-Based Comparability Payments .....	3206-AI81
3937	Prevailing Rate Systems; Abolishment of the King, Washington, Nonappropriated Fund Wage Area .....	3206-AI75
3938	Prevailing Rate Systems; Redefinition of the Southern and Western Colorado and Denver, Colorado Appropriated Fund Wage Areas .....	3206-AI85
3939	Job Grading Reviews and Appeals of Federal Wage System Employees .....	3206-AI14
3940	Grade and Pay Retention .....	3206-AI88
3941	Payment During Evacuation .....	3206-AI78
3942	Severance Pay: Miscellaneous .....	3206-AH12
3943	Pay Administration Under the Fair Labor Standards Act (FLSA) .....	3206-AI15
3944	Reemployment of Military and Civilian Retirees To Meet Exceptional Employment Needs .....	3206-AI32
3945	Miscellaneous Leave Regulations .....	3206-AI44
3946	Absence and Leave: Sick Leave <b>(Reg Plan Seq No. 143)</b> .....	3206-AI76
3947	Federal Employees' Health and Counseling Programs .....	3206-AI07
3948	Agency Use of Appropriated Funds for Child Care Costs for Lower Income Families <b>(Reg Plan Seq No. 144)</b> .....	3206-AI93
3949	Retirement; CSRS and FERS Amendments Relating to Health Care Professionals .....	3206-AG57
3950	Retirement; Credit for Military Service .....	3206-AG58
3951	Retirement; Service Credit .....	3206-AH37
3952	Retirement; Waiver of Military Retired Pay To Enhance Civil Service Retirement Annuity .....	3206-AH74

## OPM

## Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
3953	Retirement; Elimination of the Hearing Requirement During Enforcement of Statutory Bar to Annuity After Conviction of Certain Offenses .....	3206-AH76
3954	Retirement; Debt Collection .....	3206-AE72
3955	Retirement; Court Orders Awarding Survivor Annuities; Correcting or Supplementing the First Order Dividing Marital Property .....	3206-AG28
3956	Retirement; General Administration .....	3206-AI83
3957	Retirement; FERS Elections of Coverage .....	3206-AG96
3958	Federal Employees' Group Life Insurance Program: Miscellaneous Changes and Clarifications .....	3206-AG63
3959	Federal Employees Health Benefits Program: Waiver of 5-Year Requirement for Continuing FEHB Coverage Into Retirement .....	3206-AI62
3960	Debarments, Civil Monetary Penalties, and Assessments Imposed Against Providers .....	3206-AD76
3961	Federal Employees' Group Life Insurance Federal Acquisition Regulation .....	3206-AI65

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

## Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3962	Administrative Claims Under the Federal Tort Claims Act .....	3206-AI70
3963	Excepted Service Promotion and Internal Placement .....	3206-AI51
3964	Time-in-Grade Restrictions .....	3206-AG06
3965	Promotion and Internal Placement; Accelerated Qualifications .....	3206-AG19
3966	Job Listings; Full Consideration of Displaced Defense Employees .....	3206-AF36
3967	Federal Employment Priority Consideration for DC Employees .....	3206-AI28
3968	Career Transition Assistance for Surplus and Displaced Federal Employees .....	3206-AI39
3969	Interagency Career Transition Assistance for Displaced Panama Canal Zone Employees .....	3206-AI56
3970	Positions Restricted to Preference Eligibles .....	3206-AI69
3971	Official Duty Station Determinations for Pay Purposes .....	3206-AH84
3972	Miscellaneous Changes in Compensation Regulations .....	3206-AH11
3973	Prevailing Rate Systems; Changes in Federal Wage System Survey Jobs .....	3206-AH81
3974	Holiday and Premium Pay .....	3206-AH86
3975	Prevailing Rate Systems; Definition of Napa County, CA to a Nonappropriated Fund Wage Area .....	3206-AI86
3976	SES Performance Awards .....	3206-AI59
3977	Voluntary Separation Incentive Repayment Waivers .....	3206-AG20
3978	Firefighter Pay .....	3206-AI50
3979	Pay Administration; Back Pay, Holidays, Overtime Pay for Travel, and Physicians' Comparability Allowance .....	3206-AI61
3980	Retention Allowances .....	3206-AI31
3981	Cost-of-Living Allowances in Nonforeign Areas: Survey Results .....	3206-AI38
3982	Emergency Leave Transfer Program .....	3206-AI03
3983	Family and Medical Leave .....	3206-AI35
3984	Retirement Coverage for DC Financial Control Board Employees .....	3206-AG78
3985	Retirement; Coverage—Nonappropriated Fund Instrumentalities .....	3206-AH57
3986	Coverage for Certain Employees of DC .....	3206-AI02
3987	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
3988	Retirement; Nuclear Materials Couriers .....	3206-AI66
3989	Retirement; Law Enforcement Officers and Firefighters .....	3206-AI41
3990	Retirement; State Income Tax Withholding Instrumentalities .....	3206-AH62
3991	Retirement; FERS Basic Annuity .....	3206-AE73
3992	Federal Employees' Group Life Insurance Program .....	3206-AI54
3993	Federal Employees' Group Life Insurance Program: Life Insurance Improvements .....	3206-AI64
3994	Federal Employees Health Benefits Program: Payment of Premiums for Periods of Leave Without Pay or Insufficient Pay .....	3206-AG66
3995	Appointment, Pay, and Removal of Administrative Law Judges .....	3206-AI08
3996	FEHB Program OPM and DoD FEHB Program Demo Project .....	3206-AI67
3997	Employment in the Senior Executive Service .....	3206-AI58

OPM

Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3998	Interagency Placement Program .....	3206-AI24
3999	Reemployment Priority List .....	3206-AI34
4000	Performance Management Reform .....	3206-AF57
4001	Suitability .....	3206-AC19
4002	Personnel Security and Related Programs .....	3206-AC21
4003	Investigations .....	3206-AB92
4004	Federal Employees Health Benefits Program: Effective Dates .....	3206-AI37

Completed Actions

Sequence Number	Title	Regulation Identification Number
4005	Appointment of Non-Status Employees (USERRA) .....	3206-AI23
4006	Statutory Bar to Appointments a Person Who Failed to Register Under Selective Law .....	3206-AI72
4007	Clarification of Various Staffing Provisions .....	3206-AH49
4008	Reduction in Force Service Credit; Retention Records .....	3206-AI09
4009	Restoration to Duty From Military Service or Compensable Injury .....	3206-AG02
4010	Demonstration Project Authority .....	3206-AI40
4011	Prevailing Rate Systems; Abolishment of Lubbock Nonappropriated Fund Wage Area .....	3206-AH88
4012	Prevailing Rate Systems; Abolishment of the Orlando, FL, Appropriated Fund Wage Area .....	3206-AI04
4013	Prevailing Rate Systems; Abolishment of Kansas City, MO, Special Wage Schedule for Printing Positions .....	3206-AI11
4014	Prevailing Rate Systems; Redefinition of the Orlando, FL, Appropriated Fund Wage Area .....	3206-AI13
4015	Prevailing Rate Systems; Environmental Differential Pay for Working at High Altitudes .....	3206-AI36
4016	Prevailing Rate Systems; Redefinition of the Wyoming and Eastern South Dakota Appropriated Fund Wage Areas .....	3206-AI60
4017	Prevailing Rate Systems; Change in Survey Cycle for the Southwestern Michigan Appropriated Fund Wage Area .....	3206-AI68
4018	Prevailing Rate Systems; Redefinition of the Eastern South Dakota and Wyoming Appropriated Fund Wage Area .....	3206-AI74
4019	Lump-Sum Payments for Annual Leave .....	3206-AF38
4020	Agency Determinations on Payment of Relocation Costs .....	3206-AH50
4021	Absence and Leave; Use of Restored Annual Leave .....	3206-AI71
4022	Federal Equal Opportunity Recruitment Program (FEORP) .....	3206-AH98
4023	Disabled Veterans Affirmative Action Program (DVAAP) .....	3206-AH99
4024	Retirement; Determinations of Marital Status for Survivor Annuities .....	3206-AG60
4025	Voluntary Early Retirement Authority .....	3206-AI25
4026	Retirement; National Guard Technicians: Adjustments to Annuity .....	3206-AI42
4027	Federal Employees' Group Life Insurance Program: Court Orders .....	3206-AI49
4028	Federal Employees Health Benefits Program: Contributions and Withholding .....	3206-AI33
4029	FEHB and DoD Demonstration Project .....	3206-AI63
4030	Authorization of Solicitations During the Combined Federal Campaign .....	3206-AI53
4031	Voting Rights Program .....	3206-AI77

Office of Personnel Management (OPM)

Prerule Stage

**3920. AVAILABILITY OF OFFICIAL INFORMATION**

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

**Legal Authority:** 5 USC 552 Freedom of Information Act

**CFR Citation:** 5 CFR 294

**Legal Deadline:** None

**Abstract:** The proposed rulemaking will make minor changes to subpart A

of 5 CFR 294, Availability of Official Information Act. The rulemaking will provide additional information on the definition of terms used in the search and review process, update office addresses, and clarify that any written request that meets the specified marking and content requirements will be recognized as an official FOIA request. These changes are designed to benefit the public by providing updated

information on where to direct FOIA requests, and improve the wording of the regulation to fully and accurately meet the provisions of the FOIA. There will be no significant change to the existing operational procedures in place at OPM.

## OPM

## Prerule Stage

**Timetable:**

Action	Date	FR Cite
ANPRM	02/00/00	
Final Action	08/00/00	

**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 20415-0001  
Phone: 202 606-8358  
Fax: 202 606-3251  
Email: mbtoomey@opm.gov

**RIN:** 3206-AG92

## Office of Personnel Management (OPM)

## Proposed Rule Stage

**3921. ● APPOINTMENTS OF PERSONS WITH DISABILITIES**

**Regulatory Plan:** This entry is Seq. No. 145 in Part II of this issue of the **Federal Register**.

**RIN:** 3206-AI94

**3922. PERSONNEL RECORDS**

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

**Legal Authority:** 5 USC 552; 5 USC 4315; EO 12107; 5 USC 1103; 5 USC 1104; 5 USC 1302; EO 9830; 5 USC 2951; 5 USC 3301

**CFR Citation:** 5 CFR 293

**Legal Deadline:** None

**Abstract:** The regulatory changes will update the requirements for maintaining employee personnel records and clarify requirements for maintaining employee medical records.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Linda Brick, Office of Merit Systems Oversight and Effectiveness, Office of Personnel Management, Personnel Records and Systems, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-1126  
Fax: 202 606-1719  
Email: lmbrick@opm.gov  
**RIN:** 3206-AH24

**3923. EMPLOYMENT IN THE EXCEPTED SERVICE**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

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

**CFR Citation:** 5 CFR 302

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/99	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tina Vay, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0830  
Fax: 202 606-0023

**RIN:** 3206-AH83

**3924. CAREER AND CAREER-CONDITIONAL APPOINTMENT UNDER SPECIAL AUTHORITIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 1302; 5 USC 3301; 5 USC 3302; 5 USC 3304(d); 5 USC 8151; 5 USC 11219; EO 10577; EO 12034; EO 12721; 22 USC 2506; 22 USC 3651; 22 USC 3652

**CFR Citation:** 5 CFR 315

**Legal Deadline:** None

**Abstract:** Revises a group of special appointment authorities to clarify requirements and to eliminate obsolete provisions. Also adds authorities for specific noncompetitive appointments authorities by law.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/99	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Janice Reid, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0830

**RIN:** 3206-AG90

**3925. NONCOMPETITIVE APPOINTMENTS OF CORPORATION FOR NATIONAL SERVICE EMPLOYEES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 12651f

**CFR Citation:** 5 CFR 315; 5 CFR 316

**Legal Deadline:** None

**Abstract:** Permits permanent and indefinite employees of the Corporation for National Service to receive noncompetitive appointments in the competitive service. Implements National and Community Service Trust Act of 1993.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Michael Carmichael, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0830  
Fax: 202 606-0023

**RIN:** 3206-AH48

## OPM

## Proposed Rule Stage

**3926. NONCOMPETITIVE APPOINTMENT OF FORMER PEACE CORPS AND VISTA VOLUNTEERS****Priority:** Substantive, Nonsignificant**Legal Authority:** EO 11103; 42 USC 5055**CFR Citation:** 5 CFR 315**Legal Deadline:** None**Abstract:** Updates authority that grants former Peace Corps and Vista volunteers an eligibility for noncompetitive appointment to the Federal Competitive Service. Eliminates reference to the abolished ACTION agency.**Timetable:**

Action	Date	FR Cite
NPRM	02/00/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Michael Carmichael, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0830  
Fax: 202 606-0023**RIN:** 3206-AI18**3927. PROBATION ON INITIAL APPOINTMENT TO A COMPETITIVE POSITION****Priority:** Other Significant**Legal Authority:** 5 USC 3321**CFR Citation:** 5 CFR 315, subpart H**Legal Deadline:** None**Abstract:** This regulation will permit agencies to use a competitive service probationary period of up to 3 years, when the work of the position cannot be properly evaluated in only 1 year. It will also establish 1 year as the minimum probationary period.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/99	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Raleigh M. Neville, Employment Service, Staffing Reinvention Office, Office of PersonnelManagement, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0830  
Fax: 202 606-0023**RIN:** 3206-AI47**3928. MERIT PROMOTION AND INTERNAL PLACEMENT****Priority:** Other Significant**Legal Authority:** 5 USC 3301; 5 USC 3302**CFR Citation:** 5 CFR 316; 5 CFR 335**Legal Deadline:** None**Abstract:** In an effort to streamline selection procedures and provide agencies with greater flexibility, the Office of Personnel Management (OPM) 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	12/00/99	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Karen Jacobs, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0830  
Fax: 202 606-0023**RIN:** 3206-AI20**3929. CLARIFICATION OF HIRING AUTHORITIES****Priority:** Other Significant**Legal Authority:** 5 USC 3301; 5 USC 3302**CFR Citation:** 5 CFR 330; 5 CFR 332; 5 CFR 333; 5 CFR 337**Legal Deadline:** None**Abstract:** In an effort to consolidate and streamline existing hiring authorities and to clarify existing competitive examining authorities, the Office of Personnel Management is proposing to revise the regulations covering the operation and administration of these authorities.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Karen Jacobs, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0830  
Fax: 202 606-0023**Agency Contact:** Raleigh M. Neville, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0830  
Fax: 202 606-0023**RIN:** 3206-AI46**3930. AMENDMENT TO SELECTIVE SERVICE REGISTRATION REQUIREMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 3328**CFR Citation:** 5 CFR 300**Legal Deadline:** None**Abstract:** Delegates to agencies determination whether a Federal job applicant's failure to register with the Selective Service was knowing and willful. This change is authorized by an amendment to 5 USC 3328.**Timetable:**

Action	Date	FR Cite
NPRM	03/29/99	64 FR 14842
NPRM Comment Period End	04/28/99	
NPRM	11/00/99	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Janice Reid, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0830**RIN:** 3206-AI52

## OPM

## Proposed Rule Stage

**3931. OTHER THAN FULL-TIME EMPLOYMENT (PART-TIME, SEASONAL, INTERMITTENT)****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 3301**CFR Citation:** 5 CFR 340; 5 CFR 110**Legal Deadline:** None**Abstract:** Grants agencies and employees more flexibility by clarifying agency authority to schedule part-time employees on a pay period, rather than weekly, basis; define job sharing; modify seasonal employment.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/99	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Diane Tyrrell, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 9th Floor, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0830  
Fax: 202 606-0023**RIN:** 3206-AI22**3932. RE-EMPLOYMENT RIGHTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 3582; 5 USC 3301; PL 103-296**CFR Citation:** 5 CFR 352**Legal Deadline:** None**Abstract:** Updates provisions to conform to law allowing employees assigned to international organizations under certain conditions to maintain FERS and FICA retirement coverage; current regulations only mention CSRS retirement.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/99	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Mike Mahoney, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0830  
Fax: 202 606-0023**RIN:** 3206-AI19**3933. PERFORMANCE APPRAISAL IN THE SENIOR EXECUTIVE SERVICE****Regulatory Plan:** This entry is Seq. No. 142 in Part II of this issue of the **Federal Register**.**RIN:** 3206-AI57**3934. CLASSIFICATION APPEALS OF GENERAL SCHEDULE EMPLOYEES****Priority:** Info./Admin./Other**Legal Authority:** 5 USC 5112**CFR Citation:** 5 CFR 511, subparts F and G**Legal Deadline:** None**Abstract:** The position classification appeals regulations require updating to reflect current organization nomenclature following a reorganization within OPM.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/99	
NPRM Comment	03/00/00	
Period End		
Final Action	05/00/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Melissa Drummond, Office of Merit Systems Oversight and Effectiveness, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-2530  
Fax: 202 606-2663  
Email: madrummo@opm.gov**RIN:** 3206-AH38**3935. SUPERIOR QUALIFICATIONS APPOINTMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5333**CFR Citation:** 5 CFR 531**Legal Deadline:** None**Abstract:** Revises regulations concerning the appointment of superior candidates above the minimum rate of pay for General Schedule positions. Clarifies and modifies what agencies should consider when making these superior qualifications appointments.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/99	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Tina Vay, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0830  
Fax: 202 606-0023**RIN:** 3206-AI00**3936. • LOCALITY-BASED COMPARABILITY PAYMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5304**CFR Citation:** 5 CFR 531, subpart F**Legal Deadline:** None**Abstract:** The Office of Personnel Management is issuing proposed regulations to clarify and redefine the limitations on locality rates of pay for categories of non-General Schedule employees approved by the President's Pay Agent to receive locality pay. This proposed change was prompted by a recent Executive Order that delegated the President's authority to determine such limitations to the President's Pay Agent. The proposed regulations will ensure that all employees receiving locality pay are treated consistently.**Timetable:**

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	12/00/99	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Jeanne D. Jacobson, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-2858  
Email: payleave@opm.gov**RIN:** 3206-AI81**3937. • PREVAILING RATE SYSTEMS; ABOLISHMENT OF THE KING, WASHINGTON, NONAPPROPRIATED FUND WAGE AREA****Priority:** Info./Admin./Other**Legal Authority:** 5 USC 53343

OPM

Proposed Rule Stage

**CFR Citation:** 5 CFR 532

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) plans to issue a proposed rule that would abolish the King, Washington, nonappropriated fund (NAF) Federal Wage System (FWS) wage area, establish a new Snohomish, WA, NAF FWS wage area, and remove Whatcom County, WA, as an area of application.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	01/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Jennifer Hopkins, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-2848  
Fax: 202 606-4264  
Email: jdhopkin@opm.gov

**RIN:** 3206-AI75

**3938. • PREVAILING RATE SYSTEMS; REDEFINITION OF THE SOUTHERN AND WESTERN COLORADO AND DENVER, COLORADO APPROPRIATED FUND WAGE AREAS**

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

**Legal Authority:** 5 USC 5343

**CFR Citation:** 5 CFR 532

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) plans to issue a proposed rule that would redefine Eagle, Garfield, Lake, Pitkin, Rio Blanco, and Routt counties, Colorado, from areas of application of the Southern and Western Colorado appropriated fund Federal Wage System (FWS) wage area to areas of application of the Denver wage area, and redefine Mesa County, CO, from the area of application of the Southern and Western Colorado FWS wage area to the area of application of the Utah FWS wage area. In addition, we plan to propose to change the wage area name of the Southern and Western Colorado FWS area to Southern Colorado.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	01/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Jennifer Hopkins, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-2848  
Fax: 202 606-4264  
Email: jdhopkin@opm.gov

**RIN:** 3206-AI85

**3939. JOB GRADING REVIEWS AND APPEALS OF FEDERAL WAGE SYSTEM EMPLOYEES**

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

**Legal Authority:** 5 USC 5112

**CFR Citation:** 5 CFR 532, subpart G

**Legal Deadline:** None

**Abstract:** The job grading reviews and appeals regulations require updating to reflect current organization nomenclature following a reorganization within OPM.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/99	
NPRM Comment	03/00/00	
Period End		
Final Action	05/00/00	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Melissa Drummond, Office of Merit Systems Oversight and Effectiveness, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-2530  
Fax: 202 606-2663  
Email: madrummo@opm.gov

**RIN:** 3206-AI14

**3940. • GRADE AND PAY RETENTION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 5361; 5 USC 5366

**CFR Citation:** 5 CFR 536

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management is issuing proposed regulations giving agencies discretionary authority to grant pay retention to certain employees moving to positions under pay systems other than the General Schedule or the Federal Wage System. This new flexibility would allow agencies to prevent eligible employees from suffering a reduction in pay that would otherwise result from a management action.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	05/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Sharon Herzberg, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-2858  
Fax: 202 606-0824  
Email: payleave@opm.gov

**RIN:** 3206-AI88

**3941. • PAYMENT DURING EVACUATION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 5527; EO 10982; 3 CFR 1959-1963, p. 502

**CFR Citation:** 5 CFR 550

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management is issuing proposed regulations to raise the age requirement for payment of the maximum per diem rate for a dependent of an evacuated employee from age 11 to age 12. This would apply to evacuations in the United States because of natural disasters or for military or other reasons that create an imminent danger to life. The proposed change would make OPM regulations consistent with Department of Defense evacuation regulations, which require that an evacuated dependent of a uniformed member be 12 years of age

## OPM

## Proposed Rule Stage

or older to receive the maximum per diem rate. This change in OPM regulations was requested by DoD.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	06/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** James R. Weddel, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-2858  
Fax: 202 606-0824  
Email: payleave@opm.gov

**RIN:** 3206-AI78

**3942. SEVERANCE PAY: MISCELLANEOUS**

**Priority:** Other Significant

**Legal Authority:** 5 USC 5595

**CFR Citation:** 5 CFR 550, subpart G

**Legal Deadline:** None

**Abstract:** The proposed regulation would clarify or revise the severance pay rules relating to such issues as the creditability of service and the definition of "involuntary separation."

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/00	
Final Action	08/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** D. Bryce Baker, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-2858  
Email: payleave@opm.gov

**RIN:** 3206-AH12

**3943. PAY ADMINISTRATION UNDER THE FAIR LABOR STANDARDS ACT (FLSA)**

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

**Legal Authority:** 5 USC 5112

**CFR Citation:** 5 CFR 551, subparts A, B, C

**Legal Deadline:** None

**Abstract:** The FLSA regulations require revision to correct minor inconsistencies in terminology and phrasing, one incomplete citation, and one incorrect reference.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/99	
NPRM Comment Period End	01/00/00	
Final Action	04/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Melissa Drummond, Office of Merit Systems Oversight and Effectiveness, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-2530  
Fax: 202 606-2663  
Email: madrummo@opm.gov

**RIN:** 3206-AI15

**3944. REEMPLOYMENT OF MILITARY AND CIVILIAN RETIREES TO MEET EXCEPTIONAL EMPLOYMENT NEEDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 5532; 5 USC 8344; 5 USC 8643

**CFR Citation:** 5 CFR 553

**Legal Deadline:** None

**Abstract:** Establishes criteria for granting exceptions for key positions in temporary organizations established by law or Executive order. This rule will also expand and clarify the criteria used in exercising this authority.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/99	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Larry Lorenz, Employment Service, Staffing

Reinvention Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0830

**RIN:** 3206-AI32

**3945. MISCELLANEOUS LEAVE REGULATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 6311

**CFR Citation:** 5 CFR 630

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management is proposing miscellaneous changes to the leave regulations in 5 CFR part 630. The proposed changes will include clarifying provisions on the Federal leave sharing program, home leave and transfer of leave from/to the U.S. Postal Service; updating regulations to comply with new legislation requiring a lump-sum payment for annual leave for employees transferring from a Department of Defense (DoD) base that is closing to another position; clarifying leave entitlements for employees who are under 90-day appointments or assigned part-time and intermittent work schedules; and other miscellaneous changes.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/99	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** JoAnn Perrini, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-2858  
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Email: payleave@opm.gov

**RIN:** 3206-AI44

**3946. • ABSENCE AND LEAVE: SICK LEAVE**

**Regulatory Plan:** This entry is Seq. No. 143 in Part II of this issue of the Federal Register.

**RIN:** 3206-AI76

## OPM

## Proposed Rule Stage

**3947. FEDERAL EMPLOYEES' HEALTH AND COUNSELING PROGRAMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 7361; 5 USC 7362**CFR Citation:** 5 CFR 792**Legal Deadline:** None

**Abstract:** OPM is proposing to remove the following sentence which appears in this part, "If an employee fails to participate in any rehabilitative program or, having participated, the employee fails to bring conduct or performance up to a satisfactory level, the agency shall evaluate the employee accordingly and initiate the appropriate performance-based or adverse action." This sentence confuses or misleads agency management in dealing with employees who have an alcohol or drug abuse problem and whose job performance or conduct is affected as a result of their problem. Some agency officials believe that this sentence guarantees Federal employees, with these problems, two chances to avoid disciplinary and/or corrective action.

**Timetable:**

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

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

**Agency Contact:** Frank T. Cavanaugh, Office of Workforce Relations, Employee Health Services Branch, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-1166  
Email: ftcavana@opm.gov

**RIN:** 3206-AI07**3948. ● AGENCY USE OF APPROPRIATED FUNDS FOR CHILD CARE COSTS FOR LOWER INCOME FAMILIES**

**Regulatory Plan:** This entry is Seq. No. 144 in Part II of this issue of the Federal Register.

**RIN:** 3206-AI93**3949. RETIREMENT; CSRS AND FERS AMENDMENTS RELATING TO HEALTH CARE PROFESSIONALS****Priority:** Info./Admin./Other**Legal Authority:** 5 USC 8347(a); 5 USC 8461(g)**CFR Citation:** 5 CFR 831; 5 CFR 841; 5 CFR 842**Legal Deadline:** None

**Abstract:** These regulations implement the special retirement provisions applicable to certain health care professionals employed by the Veterans Health Service and other designated agencies.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/00	
Final Action	09/00/00	

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

**Agency Contact:** Cynthia Reinhold, Retirement and Insurance Service, Office of Retirement Policy Development, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0299  
Email: combox@opm.gov

**RIN:** 3206-AG57**3950. 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 8347(a); 5 CFR 8461(g); 5 CFR 842.306; 5 CFR 842.307**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/00	
Final Action	09/00/00	

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

**Agency Contact:** Christopher H. Ziebarth, Retirement and Insurance

Service, Retirement Policy Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0299  
Email: combox@opm.gov

**RIN:** 3206-AG58**3951. RETIREMENT; SERVICE CREDIT****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8347**CFR Citation:** 5 CFR 831, subpart C**Legal Deadline:** None

**Abstract:** These regulations would provide that no retirement credit could be granted for periods of service for which retirement deductions were refunded and not repaid even when the refund was paid based on an erroneous separation.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	04/00/00	

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

**Agency Contact:** Patricia A. Rochester, Retirement and Insurance Service, Retirement Policy Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0299  
Email: combox@opm.gov

**RIN:** 3206-AH37**3952. RETIREMENT; WAIVER OF MILITARY RETIRED PAY TO ENHANCE CIVIL SERVICE RETIREMENT ANNUITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8332(c)(4); 5 USC 8347(a); 5 USC 8411(c)(5)**CFR Citation:** 5 CFR 831, subpart C; 5 CFR 842, subpart C**Legal Deadline:** None

**Abstract:** These regulations implement provisions of the National Defense Authorization Act for Fiscal Year 1997. The Act changed the statutory requirements for allowing credit under the Civil Service Retirement System (CSRS) and the Federal Employees Retirement System (FERS) for military service in certain situations. CSRS or FERS credit based on a waiver of military retired pay after January 1,

## OPM

## Proposed Rule Stage

1997 is no longer permitted to adversely affect a former spouse with a court order on file affecting the military retired pay.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	06/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** John Panagakos, Retirement and Insurance Service, Retirement Policy Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0299  
Email: combox@opm.gov

**RIN:** 3206-AH74

### 3953. RETIREMENT; ELIMINATION OF THE HEARING REQUIREMENT DURING ENFORCEMENT OF STATUTORY BAR TO ANNUITY AFTER CONVICTION OF CERTAIN OFFENSES

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

**Legal Authority:** 5 USC 8347; 5 USC 8461

**CFR Citation:** 5 CFR 831, subpart K

**Legal Deadline:** None

**Abstract:** These regulations will eliminate the requirement that OPM conduct a hearing before applying the statutory bar to annuity when an individual has been convicted of certain offenses.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/99	
Final Action	06/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kenneth Brown, Retirement and Insurance Service, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415-0001  
Phone: 202 606-0299  
Email: combox@opm.gov

**RIN:** 3206-AH76

### 3954. RETIREMENT; DEBT COLLECTION

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 8347; 5 USC 8461

**CFR Citation:** 5 CFR 835(e)

**Legal Deadline:** None

**Abstract:** These regulations will amend the Civil Service Retirement System (CSRS) and Federal Employees Retirement System (FERS) regulations by consolidating and updating existing regulations in three different subparts of the CSRS regulations and 5 CFR 845 in the FERS regulations to eliminate duplication of the provisions governing debt collection. This item is for subpart E of the new part 835, which will address collections of Government claims from payments made by OPM.

**Timetable:**

Action	Date	FR Cite
NPRM	10/05/92	57 FR 45753
NPRM	11/00/99	
Final Action	04/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Patricia A. Rochester, Retirement and Insurance Service, Retirement Policy Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0299  
Email: combox@opm.gov

**RIN:** 3206-AE72

### 3955. 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	12/00/99	
Final Action	06/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** John Panagakos, Retirement and Insurance Service, Retirement Policy Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0299  
Email: combox@opm.gov

**RIN:** 3206-AG28

### 3956. • 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
NPRM	12/00/99	
Final Action	06/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** John Panagakos, Retirement and Insurance Service, Retirement Policy Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0299  
Email: combox@opm.gov

**RIN:** 3206-AI83

### 3957. 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

## OPM

## Proposed Rule Stage

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
NPRM	04/00/00	
Final Action	10/00/00	

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

**Agency Contact:** Cynthia Reinhold, Retirement and Insurance Service, Office of Retirement Policy Development, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0299  
Email: combox@opm.gov

**RIN:** 3206-AG96

**3958. FEDERAL EMPLOYEES' GROUP LIFE INSURANCE PROGRAM: MISCELLANEOUS CHANGES AND CLARIFICATIONS**

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

**Legal Authority:** 5 USC 8716

**CFR Citation:** 5 CFR 870

**Legal Deadline:** None

**Abstract:** These regulations include a group of changes to FEGLI regulations that will clarify procedures for signing and witnessing designations of beneficiary, accepting designations of beneficiary by facsimile, accepting DNA evidence to establish paternity, etc.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	
Final Action	10/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Karen Leibach, Retirement and Insurance Service, Office of Insurance Programs, Office of

Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0004  
Email: kkleibac@opm.gov

**RIN:** 3206-AG63

**3959. FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM: WAIVER OF 5-YEAR REQUIREMENT FOR CONTINUING FEHB COVERAGE INTO RETIREMENT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 8913

**CFR Citation:** 5 CFR 890

**Legal Deadline:** None

**Abstract:** This proposed regulation would broaden OPM's authority to waive the participation requirements for continuing health benefits coverage into retirement when it is to the advantage of the Government to do so.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/99	
Final Action	04/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Terry D. Schleicher, Retirement and Insurance Service, Insurance Policy and Information Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0004  
Email: terryschl@juno.com

**RIN:** 3206-AI62

**3960. DEBARMENTS, CIVIL MONETARY PENALTIES, AND ASSESSMENTS IMPOSED AGAINST PROVIDERS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 8902a

**CFR Citation:** 5 CFR 890, subpart J

**Legal Deadline:** None

**Abstract:** These regulations will implement section 2 of Pub.L. 105-266, which amends 5 U.S.C. section 8902a, authorizing OPM to debar health care providers who have committed certain types of legal offenses or program-related violations, from participation in the Federal Employees Health Benefits Program (FEHBP) and to levy monetary

penalties and assessments against individuals who have improperly obtained payments of FEHBP funds. This legislation removes unnecessary administrative constraints on the agency, provides more flexible and less time consuming procedures, and will improve OPM's administration of sanctions against unfit health care providers.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/30/89	54 FR 43939
NPRM	02/04/93	58 FR 7052
NPRM	03/00/00	

**Regulatory Flexibility Analysis Required:** 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-AD76

**3961. FEDERAL EMPLOYEES' GROUP LIFE INSURANCE FEDERAL ACQUISITION REGULATION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 8716; 40 USC 486(C)

**CFR Citation:** 48 CFR 1.301

**Legal Deadline:** None

**Abstract:** This proposed regulation would revise the existing Federal Employees' Group Life Insurance Federal Acquisition Regulation (LIFAR) by updating and revising policy regulation with respect to the acquisition and administration of life insurance contract(s) for Federal employees.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/99	
Final Action	02/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Sharon Neuner, Retirement and Insurance Services, Insurance Policy and Information

## OPM

## Proposed Rule Stage

Division, Office of Personnel  
Management, 1900 E Street NW,  
Washington, DC 20415

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Email: scneuner@opm.gov

RIN: 3206-AI65

## Office of Personnel Management (OPM)

## Final Rule Stage

**3962. • ADMINISTRATIVE CLAIMS UNDER THE FEDERAL TORT CLAIMS ACT**

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

**Legal Authority:** 28 USC 2672; 28 CFR 177

**CFR Citation:** 5 CFR 177

**Legal Deadline:** None

**Abstract:** OPM is proposing to revise and update its regulations on administrative claims under the Federal Tort Claims Act, due to agency reorganizations and changes in internal delegation of authority.

**Timetable:**

Action	Date	FR Cite
NPRM	06/22/99	64 FR 33226
Final Action	11/00/99	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Gloria Clark, Office of Personnel Management, Office of General Counsel, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-1700  
Fax: 202 606-2609  
Email: gvclark@opm.gov

**RIN:** 3206-AI70

**3963. EXCEPTED SERVICE PROMOTION AND INTERNAL PLACEMENT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 3301; 5 USC 3302; PL 105-339

**CFR Citation:** 5 CFR 213; 5 CFR 335

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management will issue final regulations implementing the provisions of the Veterans Employment Opportunities Act of 1998.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/03/98	63 FR 66705
Final Action	12/00/99	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Karen Jacobs, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0830  
Fax: 202 606-0023

**RIN:** 3206-AI51

**3964. TIME-IN-GRADE RESTRICTIONS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 5 USC 3301; 5 USC 3302; EO 10577

**CFR Citation:** 5 CFR 300

**Legal Deadline:** None

**Abstract:** Eliminates requirement that employees serve 1 year in grade to be eligible for promotion above the GS-5 level. This is separate from the qualifications requirement for 1 year experience at the next lowest grade or equivalent for promotion.

**Timetable:**

Action	Date	FR Cite
NPRM	06/15/94	59 FR 30717
NPRM Comment Period End	01/10/95	60 FR 2546
Final Action	12/00/99	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tina Vay, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0830  
Fax: 202 606-0023

**RIN:** 3206-AG06

**3965. PROMOTION AND INTERNAL PLACEMENT; ACCELERATED QUALIFICATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 3301; 5 USC 3302; 5 USC 3329

**CFR Citation:** 5 CFR 316; 5 CFR 335; 5 CFR 338

**Legal Deadline:** None

**Abstract:** OPM will issue final regulations on Accelerated Qualifications only to authorize agencies to establish intensive training programs for acquiring qualifications at an accelerated rate. A new regulatory proposal on Merit Promotion will be developed.

**Timetable:**

Action	Date	FR Cite
NPRM	02/20/96	61 FR 6324
Final Action	12/00/99	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Karen Jacobs, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0830  
Fax: 202 606-0023

**RIN:** 3206-AG19

**3966. JOB LISTINGS; FULL CONSIDERATION OF DISPLACED DEFENSE EMPLOYEES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 3329; PL 102-484, sec 4432

**CFR Citation:** 5 CFR 330; 5 CFR 335

**Legal Deadline:** None

**Abstract:** Requires agencies to report to OPM announcements of vacancies for which they will accept applications from outside their own work forces. Requires agencies to give full consideration to displaced DOD employees, Pub. L. 102-484, 5 U.S.C. 3329.

## OPM

## Final Rule Stage

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/08/93	58 FR 18139
Final Action	12/00/99	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

**Agency Contact:** Jacqueline Yeatman, Employment Service, Workforce Restructuring Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0960  
Fax: 202 606-0023

RIN: 3206-AF36

**3967. FEDERAL EMPLOYMENT PRIORITY CONSIDERATION FOR DC EMPLOYEES**

Priority: Substantive, Nonsignificant

Legal Authority: PL 105-33

CFR Citation: 5 CFR 330

Legal Deadline: None

**Abstract:** Requires agencies to accord priority consideration to displaced District of Columbia, Department of Corrections employees separated as a result of the closure of the Lorton Correctional complex.

**Timetable:**

Action	Date	FR Cite
NPRM	08/04/98	63 FR 41387
Final Action	02/00/00	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

**Agency Contact:** Jacqueline Yeatman, Employment Service, Workforce Restructuring Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0960  
Fax: 202 606-0023

RIN: 3206-AI28

**3968. CAREER TRANSITION ASSISTANCE FOR SURPLUS AND DISPLACED FEDERAL EMPLOYEES**

Priority: Substantive, Nonsignificant

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

CFR Citation: 5 CFR 330

Legal Deadline: None

**Abstract:** The Office of Personnel Management is issuing interim regulations to extend the 9/30/99 sunset date for the Government's current career transition assistance programs which assist Federal employees displaced from their jobs by downsizing.

**Timetable:**

Action	Date	FR Cite
NPRM	07/27/99	64 FR 40506
Final Action	12/00/99	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

**Agency Contact:** Jacqueline Yeatman, Employment Service, Workforce Restructuring Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0960  
Fax: 202 606-0023

RIN: 3206-AI39

**3969. INTERAGENCY CAREER TRANSITION ASSISTANCE FOR DISPLACED PANAMA CANAL ZONE EMPLOYEES**

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 1302; 5 USC 3301; 5 USC 3302; 22 USC 1232

CFR Citation: 5 CFR 330

Legal Deadline: None

**Abstract:** The Office of Personnel Management is issuing interim regulations that provide certain displaced Panama Canal Zone employees with interagency priority consideration for vacant competitive service positions in the continental United States.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/07/99	64 FR 24503
Final Action	12/00/99	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

**Agency Contact:** Thomas A. Glennon, Employment Service, Workforce Restructuring Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0960

Fax: 202 606-2329

RIN: 3206-AI56

**3970. POSITIONS RESTRICTED TO PREFERENCE ELIGIBLES**

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 3310

CFR Citation: 5 CFR 330, subpart D

Legal Deadline: None

**Abstract:** Interim regulations that update agencies obligations to provide positive placement assistance to veterans who are separated from restricted positions that are contracted out under OMB Circular A-76.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/27/99	64 FR 40505
Final Action	11/00/99	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AI69

**3971. OFFICIAL DUTY STATION DETERMINATIONS FOR PAY PURPOSES**

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 5305; 5 USC 5304; 5 USC 5941; EO 10000; PL 101-509, sec 404

CFR Citation: 5 CFR 530; 5 CFR 531; 5 CFR 591

Legal Deadline: None

**Abstract:** These regulations clarify the location-based pay entitlements of Federal employees who are detailed or temporarily assigned to work at a new location. In particular, the regulations provide that, for employees receiving limited relocation allowances under 5 U.S.C. 5737 during temporary assignments, the new location is the official duty station for pay purposes

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/09/97	62 FR 25423

## OPM

## Final Rule Stage

Action	Date	FR Cite
Interim Final Rule	07/08/97	
Comment Period End		
Final Action	12/00/99	

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

**Agency Contact:** Jeanne D. Jacobson, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E Street NW, Washington, DC 20415  
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**RIN:** 3206-AH84**3972. MISCELLANEOUS CHANGES IN COMPENSATION REGULATIONS****Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 5304; 5 USC 5365; 5 USC 5753; 5 USC 5527; 5 USC 5596; 5 USC 5941; 5 USC 5754; 5 USC 5307; 5 USC 5338; 5 USC 5548; 5 USC 5595; 5 USC 6101; Fair Labor Standards Act of 1938 (as amended), section 4(f); 5 USC 5941

**CFR Citation:** 5 CFR 530; 5 CFR 531; 5 CFR 536; 5 CFR 550; 5 CFR 551; 5 CFR 575; 5 CFR 610; 5 CFR 591

**Legal Deadline:** None

**Abstract:** This proposed regulation would correct or clarify various regulatory provisions dealing with the compensation of Federal employees.

**Timetable:**

Action	Date	FR Cite
NPRM	11/24/98	63 FR 64880
NPRM Comment Period End	01/25/99	
Final Action	11/00/99	

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

**Agency Contact:** Jeanne D. Jacobson, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E Street NW, Washington, DC 20415  
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**RIN:** 3206-AH11**3973. PREVAILING RATE SYSTEMS; CHANGES IN FEDERAL WAGE SYSTEM SURVEY JOBS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5343**CFR Citation:** 5 CFR 532**Legal Deadline:** None

**Abstract:** The Office of Personnel Management plans regulatory actions to change certain Federal Wage System (FWS) appropriated fund survey jobs to make them more useful survey tools. These changes were recommended by the Federal Prevailing Rate Advisory Committee.

**Timetable:**

Action	Date	FR Cite
NPRM	04/26/99	64 FR 20221
Final Action	11/00/99	

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

**Agency Contact:** Jennifer Hopkins, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E Street NW., Washington, DC 20415  
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Email: jdhopkin@opm.gov

**RIN:** 3206-AH81**3974. HOLIDAY AND PREMIUM PAY****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5548; 5 USC 6133; 29 USC 204(f)**CFR Citation:** 5 CFR 523; 5 CFR 550; 5 CFR 551; 5 CFR 610**Legal Deadline:** None

**Abstract:** The regulations implement recent changes in law which provide authority for compensatory time off for prevailing rate (wage) employees in lieu of overtime pay and agency flexibility in determining the "in lieu of" holiday for employees on compressed work schedules when the actual holiday for the employee is on a nonworkday. A current regulation is also corrected to comply with a provision of law authorizing use of alternative work schedules for civilian nonappropriated fund employees of the Armed Services.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/23/97	62 FR 2835
Final Action	12/00/99	

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

**Agency Contact:** James R. Weddel, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E Street NW, Washington, DC 20415  
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**RIN:** 3206-AH86**3975. • PREVAILING RATE SYSTEMS; DEFINITION OF NAPA COUNTY, CA TO A NONAPPROPRIATED FUND WAGE AREA****Priority:** Info./Admin./Other**Legal Authority:** 5 USC 5343**CFR Citation:** 5 CFR 532**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) plans to issue a rule to define Napa County, California, as an area of application to the Solano, CA, nonappropriated fund Federal Wage System wage area.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/00/99	
Final Action	01/00/00	

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

**Agency Contact:** Jennifer Hopkins, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E Street NW., Washington, DC 20415  
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**RIN:** 3206-AI86**3976. SES PERFORMANCE AWARDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5385

## OPM

## Final Rule Stage

**CFR Citation:** 5 CFR 534, subpart D

**Legal Deadline:** None

**Abstract:** The change at 5 CFR 534, subpart D, will reflect the statutory change to the SES performance award pool configuration that was mandated in the Omnibus Consolidated and Emergency Supplemental Appropriations Act (Public Law 105-277), enacted on October 21, 1998.

**Timetable:**

Action	Date	FR Cite
Final Action	11/00/99	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Anne Kirby, Office of Executive Resources Management, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
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**RIN:** 3206-AI59

**3977. VOLUNTARY SEPARATION INCENTIVE REPAYMENT WAIVERS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 103-226

**CFR Citation:** 5 CFR 550

**Legal Deadline:** None

**Abstract:** Public Law 103-226 authorizes OPM to waive repayment of a voluntary separation incentive payment if a former employee who accepted the incentive payment is reemployed by an executive agency of the U.S. within 5 years of separation.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/09/94	59 FR 55807
Final Action	11/00/99	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Greg Keller, Employment Service, Federal Workforce Restructuring Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0960

**RIN:** 3206-AG20

**3978. FIREFIGHTER PAY**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 5545b

**CFR Citation:** 5 CFR 410; 5 CFR 550; 5 CFR 551; 5 CFR 591; 5 CFR 630; 5 CFR 870

**Legal Deadline:** None

**Abstract:** Regulations to change the method of computing pay for Federal firefighters.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/23/98	63 FR 64589
NPRM Comment Period End	01/22/99	
Final Action	12/00/99	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 3206-AI50

**3979. PAY ADMINISTRATION; BACK PAY, HOLIDAYS, OVERTIME PAY FOR TRAVEL, AND PHYSICIANS' COMPARABILITY ALLOWANCE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 5596(c); 5 USC 6101(c); 5 USC 5542(c); Sec. 4(f) of the Fair Labor Standards Act of 1938, as amended; 5 USC 5948; EO 12109

**CFR Citation:** 5 CFR 550; 5 CFR 551; 5 CFR 595; 5 CFR 610

**Legal Deadline:** None

**Abstract:** The Office of Personnel Management is issuing interim regulations to reflect recent changes in law which (1) clarify that back pay awards are subject to a 6-year statute of limitations unless a shorter limitation period applies; (2) change the designation of holidays for certain Federal employees working overseas; and (3) increase the maximum physicians' comparability allowance from \$20,000 to \$30,000 per year for employees who have served as a physician for more than 24 months.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/00/99	
Final Action	06/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** James R. Weddel, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E Street NW, Washington, DC 20415  
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**RIN:** 3206-AI61

**3980. RETENTION ALLOWANCES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 5754

**CFR Citation:** 5 CFR 575

**Legal Deadline:** None

**Abstract:** These regulations provide agencies with discretionary authority to pay retention allowances of up to 10 percent of an employee's rate of basic pay (or up to 25 percent with OPM approval) to a group or category of employees in certain limited circumstances.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/23/98	63 FR 34119
NPRM Comment Period End	08/24/98	
Final Action	11/00/99	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Paul Shields, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E Street NW, Washington, DC 20415  
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**RIN:** 3206-AI31

**3981. COST-OF-LIVING ALLOWANCES IN NONFOREIGN AREAS: SURVEY RESULTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 5941

**CFR Citation:** 5 CFR 591

**Legal Deadline:** None

## OPM

## Final Rule Stage

**Abstract:** The Office of Personnel Management will issue regulations implementing any increases in nonforeign area cost-of-living allowance (COLA) rates indicated by COLA survey results. Section 5941 of title 5, United States Code, provides for the payment of nonforeign area cost-of-living allowances (COLAs) in Alaska, Hawaii, and other nonforeign overseas areas. The Office of Personnel Management conducts living-cost surveys to set COLA rates. Reductions in nonforeign area COLA rates are prohibited by the Treasury, Postal Service, and General Government Appropriations Act, 1992, as amended, through December 31, 2000, and will not be proposed during the restricted period. OPM is also broadening the composition of the Miscellaneous Expense Category to allow the addition of other types of expenses to that category.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/21/98	63 FR 56430
Final Action	11/00/99	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 3206-AI38

**3982. EMERGENCY LEAVE TRANSFER PROGRAM**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 6391

**CFR Citation:** 5 CFR 630, subpart K

**Legal Deadline:** None

**Abstract:** Section 9004 of Pub. L. 105-18, June 12, 1997, added section 6391 to title 5, United States Code, to provide that in the event of a major disaster or emergency, as declared by the President, that results in severe adverse effects for a substantial number of employees, the President may direct the Office of Personnel Management (OPM) to establish an emergency leave transfer program under which an

employee in any Executive agency may donate annual leave for transfer to employees of his or her agency or to employees in other agencies who are adversely affected by such disaster or emergency. The Act also permits agency leave banks established under 5 U.S. C. 6362 to donate leave under an emergency leave transfer program established by OPM.

**Timetable:**

Action	Date	FR Cite
NPRM	11/03/97	62 FR 59301
Final Action	11/00/99	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 3206-AI03

**3983. FAMILY AND MEDICAL LEAVE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 6381 to 6387

**CFR Citation:** 5 CFR 630, subpart L

**Legal Deadline:** None

**Abstract:** Under the Family and Medical Leave Act of 1993 (FMLA) most Federal employees are entitled to a total of 12 workweeks of unpaid leave during any 12-month period for certain family and medical needs. These regulations clarify the requirements of the FMLA and ensure that both employees' and agencies' rights are protected and their responsibilities fulfilled.

**Timetable:**

Action	Date	FR Cite
NPRM	08/13/98	63 FR 43325
NPRM Comment Period End	10/13/98	
Final Action	11/00/99	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 3206-AI35

**3984. RETIREMENT COVERAGE FOR DC FINANCIAL CONTROL BOARD EMPLOYEES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 104-8

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

**Legal Deadline:** None

**Abstract:** These regulations implement the District of Columbia Financial Responsibility and Management Assistance Act of 1995. They establish standards by which some former Federal employees may carry civil service retirement coverage to employment with the DC Financial Control Board.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/15/96	61 FR 58457
Final Action	01/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kenneth Brown, Retirement and Insurance Service, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415-0001  
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**RIN:** 3206-AG78

**3985. RETIREMENT; COVERAGE—NONAPPROPRIATED FUND INSTRUMENTALITIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 8347

**CFR Citation:** 5 CFR 831; 5 CFR 837; 5 CFR 841; 5 CFR 842; 5 CFR 843; 5 CFR 844; 5 CFR 847

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

**Abstract:** These regulations implement the provisions of Pub. L. 104-106 which allow certain employees who have been employed by non-appropriated fund instrumentalities under the jurisdiction

## OPM

## Final Rule Stage

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	03/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Cynthia Reinhold, Retirement and Insurance Service, Office of Retirement Policy Development, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
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**RIN:** 3206-AH57

**3986. COVERAGE FOR CERTAIN EMPLOYEES OF DC**

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

**Legal Authority:** 5 USC 8347(a); 5 USC 8361(g); PL 105-33, sec 11202(f), 11232(e), 11246(b)

**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 that require 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, Defense Service, 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
Comment Period End	12/01/97	
Final Action	02/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Robert Girouard, Retirement and Insurance Service, Retirement Policy Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415

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**RIN:** 3206-AI02

**3987. RETIREMENT, HEALTH, AND LIFE INSURANCE COVERAGE FOR CERTAIN EMPLOYEES OF THE DISTRICT OF COLUMBIA UNDER THE DISTRICT OF COLUMBIA COURTS AND JUSTICE TECHNICAL CORRECTIONS ACT OF 1998**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 105-274

**CFR Citation:** 5 CFR 831; 5 CFR 837; 5 CFR 842; 5 CFR 846; 5 CFR 870; 5 CFR 890

**Legal Deadline:** None

**Abstract:** These interim regulations implement the District of Columbia Courts and Justice Technical Corrections Act of 1998. The effect of these regulations is to extend Federal retirement, health insurance, and life insurance coverage to employees of the Public Defender Service of the District of Columbia under section 7 of the Act, and to exclude certain former employees of the District of Columbia who are hired by the Department of Justice or by the Court Services and Offender Supervision Agency from Federal retirement coverage if they elect, under section 3 of the Act, to continue their coverage under a retirement system for employees of the District of Columbia.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/31/99	64 FR 15286
Interim Final Rule	06/29/99	
Comment Period End		
Final Action	11/00/99	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Robert Girouard, Retirement and Insurance Service, Retirement Policy Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
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**RIN:** 3206-AI55

**3988. RETIREMENT; NUCLEAR MATERIALS COURIERS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 8347; 5 USC 8461

**CFR Citation:** 5 CFR 831; 5 CFR 841; 5 CFR 842

**Legal Deadline:** None

**Abstract:** These regulations implement the provisions of Pub. L. 105-261 which authorize immediate retirement benefits at age 50 for Federal employees who have completed 20 years of Federal civilian service as a nuclear materials courier with the Department of Energy.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/00/99	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kenneth R. Brown, Retirement and Insurance Service, Retirement Policy Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
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**RIN:** 3206-AI66

**3989. RETIREMENT; LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 8347; 5 USC 8461

**CFR Citation:** 5 CFR 831, subpart I; 5 CFR 842, subpart H

**Legal Deadline:** None

**Abstract:** These interim regulations will amend the CSRS Law Enforcement Officer and Firefighter regulations and the FERS Law Enforcement Officer, Firefighter, and Air Traffic Controller regulations governing agency and OPM law enforcement officer and firefighter retirement coverage and service credit determinations. These interim regulations will clarify that the authority of an agency head to deny law enforcement officer and firefighter retirement coverage may be delegated to any level within the agency.

## OPM

## Final Rule Stage

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/00/99	
Final Action	01/00/00	

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

**Agency Contact:** Kenneth Brown, Retirement and Insurance Service, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415-0001

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RIN: 3206-AI41

**3990. RETIREMENT; STATE INCOME TAX WITHHOLDING INSTRUMENTALITIES****Priority:** Info./Admin./Other**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	11/00/99	

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

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RIN: 3206-AH62

**3991. RETIREMENT; FERS BASIC ANNUITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8461**CFR Citation:** 5 CFR 842, subparts B, C, D, E, F, G**Legal Deadline:** None

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

**Timetable:**

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

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

**Agency Contact:** John Panagakos, Retirement and Insurance Service, Retirement Policy Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415

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RIN: 3206-AE73

**3992. FEDERAL EMPLOYEES' GROUP LIFE INSURANCE PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8716**CFR Citation:** 5 CFR 870**Legal Deadline:** Final, Statutory, April 24, 1999.

**Abstract:** This interim regulation revises 5 CFR part 870 to incorporate changes as a result of the Federal Employees Group Life Insurance Improvement Act. It changes the premium rates for all coverage categories, expands the age bands from age 60 and above for Option C, and changes the birthday rule applicable to optional insurance coverage when moving from one premium-rated age band to another. The revisions allow for new expanded coverage options with associated rate changes to be effective April 24, 1999. New Option C age band rates to be effective April 24, 2000, and open enrollment changes to be effective on the first day of the pay period on or after April 23, 2000.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/23/99	64 FR 22543
Final Action	11/00/99	

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

**Agency Contact:** Sharon Neuner, Retirement and Insurance Services, Insurance Policy and Information Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415

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Email: scneuner@opm.gov

RIN: 3206-AI54

**3993. FEDERAL EMPLOYEES' GROUP LIFE INSURANCE PROGRAM: LIFE INSURANCE IMPROVEMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 105-311**CFR Citation:** 5 CFR 870**Legal Deadline:** None

**Abstract:** These regulations implement Pub. L. 105-311, which makes numerous changes to the FEGLI Program, including covering foster children under Option C, increasing the amount of Option C coverage available, allowing for the election of unreduced Options B and C at retirement, allowing for direct payment of premiums when pay is insufficient for premium withholdings, and providing for a demonstration project for the portability of Option B.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/00/99	
Final Action	06/00/00	

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

**Agency Contact:** Karen Leibach, Retirement and Insurance Service, Office of Insurance Programs, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415

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RIN: 3206-AI64

## OPM

## Final Rule Stage

**3994. FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM: PAYMENT OF PREMIUMS FOR PERIODS OF LEAVE WITHOUT PAY OR INSUFFICIENT PAY****Priority:** Info./Admin./Other**Legal Authority:** 5 USC 8913**CFR Citation:** 5 CFR 890**Legal Deadline:** None

**Abstract:** Regulations that establish a requirement that Federal agencies counsel employees entering nonpay status, or whose pay is insufficient to cover their FEHB premium payments, of the options of continuing or terminating their FEHB coverage, and if continuing, of paying premiums directly on a current basis or incurring a debt to be withheld from future salary. These regulations are intended to ensure employees are fully aware of these alternatives.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/22/96	61 FR 37807
Interim Final Rule	04/00/00	

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

**Agency Contact:** Sharon Neuner, Retirement and Insurance Services, Insurance Policy and Information Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
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**RIN:** 3206-AG66**3995. APPOINTMENT, PAY, AND REMOVAL OF ADMINISTRATIVE LAW JUDGES****Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 1104(a)(2); 5 USC 1305; 5 USC 3105; 5 USC 3323(b); 5 USC 3344; 5 USC 4301(2)(D); 5 USC 5372; 5 USC 7521

**CFR Citation:** 5 CFR 930**Legal Deadline:** None

**Abstract:** Revises several areas pertaining to the appointment, pay, and removal of ALJs.

**Timetable:**

Action	Date	FR Cite
NPRM	02/23/98	63 FR 8874
Final Action	11/00/99	

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

**Agency Contact:** Armando E. Rodriguez, Employment Service, Diversity Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-1059  
TDD Phone: 912 744-2299

**RIN:** 3206-AI08**3996. • FEHB PROGRAM OPM AND DOD FEHB PROGRAM DEMO PROJECT****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8913**CFR Citation:** 48 CFR 1600**Legal Deadline:** None

**Abstract:** The purpose of the regulation is to implement the portion of Public Law 105-261 which amended chapter 55 of title 10 and chapter 89 of title 5 U.S.C. to establish a demonstration project under which certain Medicare eligible and other DoD beneficiaries can enroll in a health benefit plan under the Federal Employees Health Benefits Program during the fall 1999 Open Season. The demonstration project will run for a period of three years from January 1, 2000 through December 31, 2002.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/06/99	64 FR 36271
Interim Final Rule Effective	07/06/99	
Final Action	11/00/99	

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

**Agency Contact:** Michael W. Kaszynski, Retirement and Insurance Services, Office of Personnel Management, Insurance Policy and Information Division, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-0004  
Fax: 202 606-0633  
Email: mwkaszyn@opm.gov

**RIN:** 3206-AI67**3997. EMPLOYMENT IN THE SENIOR EXECUTIVE SERVICE****Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 3397**CFR Citation:** 5 CFR 317**Legal Deadline:** None

**Abstract:** Proposed revision of SES regulations at 5 CFR 317, subpart E, will focus on (1) emphasizing the importance of executive leadership qualifications in agency SES selection criteria, (2) strengthening the SES merit staffing process, and (3) providing for delegating Qualifications Review Board Administration to agencies via individual delegation agreements.

**Timetable:**

Action	Date	FR Cite
NPRM	07/30/99	64 FR 41334
Final Action	12/00/99	

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

**Agency Contact:** Marcia K. Staten, Office of Executive Resources Management, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-1832

**RIN:** 3206-AI58

## Office of Personnel Management (OPM)

## Long-Term Actions

**3998. INTERAGENCY PLACEMENT PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 1302; 5 USC 3310; 5 USC 3315**CFR Citation:** 5 CFR 330; 5 CFR 351; 5 CFR 332**Legal Deadline:** None**Abstract:** Implemented Interagency Placement Program, which superseded Displaced Employee Program and Interagency Placement Program.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/27/94	59 FR 32871
Final Action	09/00/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Jacqueline Yeatman, Employment Service, Workforce Restructuring Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0960  
Fax: 202 606-0023**RIN:** 3206-AI24**3999. REEMPLOYMENT PRIORITY LIST****Priority:** Other Significant**Legal Authority:** 5 USC 1315; 5 USC 8151**CFR Citation:** 5 CFR 330, subpart B**Legal Deadline:** None**Abstract:** The Office of Personnel Management is proposing regulations covering the operation and administration of the Reemployment Priority List (RPL). The RPL provides competitive service employees separated by reduction in force with the first opportunity for reemployment in their former agency over candidates who do not work for the agency. The RPL also provides the same priority to former employees who were separated or downgraded because of a compensable injury or disability and have fully recovered more than one year after compensation began. These proposed regulations would update RPL procedures in order to assist agencies in providing displaced employees with maximum reemployment opportunities.**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Jacqueline Yeatman, Employment Service, Workforce Restructuring Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415

Phone: 202 606-0960

Fax: 202 606-0023

**RIN:** 3206-AI34**4000. PERFORMANCE MANAGEMENT REFORM****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 5 USC 43; 5 USC 45**CFR Citation:** 5 CFR 430; 5 CFR 451**Legal Deadline:** None**Abstract:** Regulatory changes to comply with legislative reforms in support of the National Performance Review (NPR) recommendations that decentralize performance management and incentive awards programs to the agencies.**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Barbara Colchao, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Performance and Compensation and, Systems Design, 1900 E Street NW, Washington, DC 20415

Phone: 202 606-2720

Email: bwcolcha@opm.gov

**RIN:** 3206-AF57**4001. SUITABILITY****Priority:** Other Significant**Legal Authority:** 5 USC 3301; 5 USC 3302; 5 USC 7301; EO 10577; EO 11222**CFR Citation:** 5 CFR 731**Legal Deadline:** None**Abstract:** With the abolishment in December 1993 of the Federal

Personnel Manual (FPM), certain policies and procedures enunciated in the FPM must be considered for publication in another format. Since these policies and procedures are important to continued program operations, they will be incorporated in the Code of Federal Regulations. The Office of Management and Budget (OMB) has determined that these regulations are significant and require OMB review prior to publication. However, we foresee no significant issues arising from implementation of these changes.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/23/91	56 FR 18650
Interim Final Rule	09/16/94	59 FR 47527
NPRM	01/05/96	61 FR 394
NPRM	01/28/99	64 FR 4336
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Richard A. Ferris, Associate Director, Investigations Service, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415-4000  
Phone: 202 606-1042**RIN:** 3206-AC19**4002. PERSONNEL SECURITY AND RELATED PROGRAMS****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:** With the abolishment in December 1993 of the Federal Personnel Manual (FPM), certain policies and procedures enunciated in the FPM must be considered for publication in another format. Since all of these policies and procedures are important to continued program operations, they will be incorporated in the Code of Federal Regulations. The Office of Management and Budget (OMB) has determined that these regulations are significant and require OMB review prior to publication. However, we see no significant issues arising from implementation of these changes.

## OPM

## Long-Term Actions

**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	
Next Action Undetermined		

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

**Agency Contact:** Richard A. Ferris, Associate Director, Investigations Service, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415-4000  
Phone: 202 606-1042

**RIN:** 3206-AC21**4003. INVESTIGATIONS****Priority:** Other Significant**Legal Authority:** PL 93-579; 5 USC 552a**CFR Citation:** 5 CFR 736**Legal Deadline:** None

**Abstract:** With the abolishment in December 1993 of the Federal Personnel Manual (FPM), certain policies and procedures enunciated in the FPM must be considered for publication in another format. Since all

of these policies and procedures are important to continued program operations, they will be incorporated in the Code of Federal Regulations. The Office of Management and Budget (OMB) has determined that these regulations are significant and require OMB review prior to publication. However, we foresee no significant issues arising from implementation of these changes.

**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
Next Action Undetermined		

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

**Agency Contact:** Richard A. Ferris, Associate Director, Investigations Service, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415-4000  
Phone: 202 606-1042

**RIN:** 3206-AB92**4004. FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM: EFFECTIVE DATES****Priority:** Info./Admin./Other**Legal Authority:** 5 USC 8913**CFR Citation:** 5 CFR 890**Legal Deadline:** None

**Abstract:** This proposed regulation would adopt January 1st as the effective date for all open season new enrollment in the Federal Employees Health Benefits Program.

**Timetable:**

Action	Date	FR Cite
NPRM	08/31/98	63 FR 46180
NPRM Comment Period End	09/30/98	
Final Action	To Be Determined	

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

**Agency Contact:** Terry D. Schleicher, Retirement and Insurance Service, Insurance Policy and Information Division, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0004  
Email: terryschl@juno.com

**RIN:** 3206-AI37

## Office of Personnel Management (OPM)

## Completed Actions

**4005. APPOINTMENT OF NON-STATUS EMPLOYEES (USERRA)****Priority:** Substantive, Nonsignificant**CFR Citation:** 5 CFR 213**Completed:**

Reason	Date	FR Cite
Final Action	06/11/99	64 FR 31485
Final Action Effective	07/12/99	

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

**Agency Contact:** Raleigh M. Neville  
Phone: 202 606-0830  
Fax: 202 606-0023

**RIN:** 3206-AI23**4006. • STATUTORY BAR TO APPOINTMENTS A PERSON WHO FAILED TO REGISTER UNDER SELECTIVE LAW****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 3328**CFR Citation:** 5 CFR 300**Legal Deadline:** None

**Abstract:** Changed the telephone number listed for agencies to contact the Selective Service System.

**Timetable:**

Action	Date	FR Cite
Final Action	05/27/99	64 FR 28713
Final Action Effective	05/27/99	

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

**Agency Contact:** Janice Reid, Employment Service, Staffing Reinvention Office, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-0830

**RIN:** 3206-AI72**4007. CLARIFICATION OF VARIOUS STAFFING PROVISIONS****Priority:** Substantive, Nonsignificant

**CFR Citation:** 5 CFR 330.403; 5 CFR 213.103(a); 5 CFR 300.501; 5 CFR 315.603(a); 5 CFR 315.608; 5 CFR 332.301; 5 CFR 338.202(3)

**Completed:**

Reason	Date	FR Cite
Merged With RIN: 3206-AI46	08/31/99	

## OPM

## Completed Actions

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Raleigh M. Neville

Phone: 202 606-0830

Fax: 202 606-0023

RIN: 3206-AH49

**4008. REDUCTION IN FORCE SERVICE CREDIT; RETENTION RECORDS**

Priority: Substantive, Nonsignificant

CFR Citation: 5 CFR 351

Completed:

Reason	Date	FR Cite
Final Action	04/07/99	64 FR 16797
Final Action Effective	05/07/99	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Thomas A. Glennon

Phone: 202 606-0960

Fax: 202 606-2329

RIN: 3206-AI09

**4009. RESTORATION TO DUTY FROM MILITARY SERVICE OR COMPENSABLE INJURY**

Priority: Substantive, Nonsignificant

CFR Citation: 5 CFR 353

Completed:

Reason	Date	FR Cite
Final Action	06/11/99	64 FR 31485
Final Action Effective	07/12/99	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Raleigh M. Neville

Phone: 202 606-0830

Fax: 202 606-0023

RIN: 3206-AG02

**4010. DEMONSTRATION PROJECT AUTHORITY**

Priority: Info./Admin./Other

CFR Citation: 5 CFR 470

Completed:

Reason	Date	FR Cite
Withdrawn	09/07/99	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Joan Jorgenson

Phone: 202 606-1315

Email: jmjorgen@opm.gov

RIN: 3206-AI40

**4011. PREVAILING RATE SYSTEMS; ABOLISHMENT OF LUBBOCK NONAPPROPRIATED FUND WAGE AREA**

Priority: Info./Admin./Other

CFR Citation: 5 CFR 532

Completed:

Reason	Date	FR Cite
Final Action	06/22/99	64 FR 33175
Final Action Effective	07/22/99	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Jennifer Hopkins

Phone: 202 606-2848

Fax: 202 606-4264

Email: jdhopkin@opm.gov

RIN: 3206-AH88

**4012. PREVAILING RATE SYSTEMS; ABOLISHMENT OF THE ORLANDO, FL, APPROPRIATED FUND WAGE AREA**

Priority: Info./Admin./Other

CFR Citation: 5 CFR 532

Completed:

Reason	Date	FR Cite
Final Action	04/13/99	64 FR 17941
Final Action Effective	05/13/99	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Jennifer Hopkins

Phone: 202 606-2848

Fax: 202 606-4264

Email: jdhopkin@opm.gov

RIN: 3206-AI04

**4013. PREVAILING RATE SYSTEMS; ABOLISHMENT OF KANSAS CITY, MO, SPECIAL WAGE SCHEDULE FOR PRINTING POSITIONS**

Priority: Info./Admin./Other

CFR Citation: 5 CFR 532

Completed:

Reason	Date	FR Cite
Final Action	06/22/99	64 FR 33175
Final Action Effective	07/22/99	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Jennifer Hopkins

Phone: 202 606-2848

Fax: 202 606-4264

Email: jdhopkin@opm.gov

RIN: 3206-AI11

**4014. PREVAILING RATE SYSTEMS; REDEFINITION OF THE ORLANDO, FL, APPROPRIATED FUND WAGE AREA**

Priority: Info./Admin./Other

CFR Citation: 5 CFR 532

Completed:

Reason	Date	FR Cite
Final Action	04/13/99	64 FR 17941
Final Action Effective	05/13/99	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Jennifer Hopkins

Phone: 202 606-2848

Fax: 202 606-4264

Email: jdhopkin@opm.gov

RIN: 3206-AI13

**4015. PREVAILING RATE SYSTEMS; ENVIRONMENTAL DIFFERENTIAL PAY FOR WORKING AT HIGH ALTITUDES**

Priority: Substantive, Nonsignificant

CFR Citation: 5 CFR 532

Completed:

Reason	Date	FR Cite
Final Action	04/02/99	64 FR 15915
Final Action Effective	04/02/99	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Mark Allen

Phone: 202 606-2848

Fax: 202 606-4264

Email: maallen@opm.gov

RIN: 3206-AI36

**4016. PREVAILING RATE SYSTEMS; REDEFINITION OF THE WYOMING AND EASTERN SOUTH DAKOTA APPROPRIATED FUND WAGE AREAS**

Priority: Info./Admin./Other

CFR Citation: 5 CFR 532

Completed:

Reason	Date	FR Cite
Merged With RIN	09/07/99	
3206-AI74		

## OPM

## Completed Actions

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Jennifer Hopkins

Phone: 202 606-2848

Fax: 202 606-4264

Email: jdhopkin@opm.gov

RIN: 3206-AI60

**4017. • PREVAILING RATE SYSTEMS; CHANGE IN SURVEY CYCLE FOR THE SOUTHWESTERN MICHIGAN APPROPRIATED FUND WAGE AREA****Priority:** Info./Admin./Other**Legal Authority:** 5 USC 5343**CFR Citation:** 5 CFR 532**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) is issuing an interim rule to change the full-scale survey cycle of the Southwestern Michigan appropriated fund Federal Wage System wage area from odd to even-numbered fiscal years.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/03/99	64 FR 23531
Interim Final Rule Comment Period End	06/02/99	
Final Action	10/01/99	64 FR 53179
Final Action Effective	11/01/99	

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

**Agency Contact:** Jennifer Hopkins, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-2848  
Fax: 202 606-4264  
Email: jdhopkin@opm.gov

RIN: 3206-AI68

**4018. • PREVAILING RATE SYSTEMS; REDEFINITION OF THE EASTERN SOUTH DAKOTA AND WYOMING APPROPRIATED FUND WAGE AREA****Priority:** Info./Admin./Other**Legal Authority:** 5 USC 5343**CFR Citation:** 5 CFR 532**Legal Deadline:** None

**Abstract:** The Office of Personnel Management (OPM) is issuing a

proposed rule that would redefine Jackson County, South Dakota, from the area of application of the Eastern South Dakota appropriated fund Federal Wage System (FWS) wage area to the area of application of the Wyoming FWS wage area, and redefine Teton County, Wyoming, from the area of application of the Wyoming FWS wage area to the area of application of the Montana FWS wage area.

**Timetable:**

Action	Date	FR Cite
NPRM	06/23/99	64 FR 33427
NPRM Comment Period End	07/23/99	
Final Action	10/04/99	64 FR 53179
Final Action Effective	11/01/99	

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

**Agency Contact:** Jennifer Hopkins, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E Street NW., Washington, DC 20415  
Phone: 202 606-2848  
Fax: 202 606-4264  
Email: jdhopkin@opm.gov

RIN: 3206-AI74

**4019. LUMP-SUM PAYMENTS FOR ANNUAL LEAVE****Priority:** Substantive, Nonsignificant**CFR Citation:** 5 CFR 550, subpart L**Completed:**

Reason	Date	FR Cite
Final Action Effective	07/07/99	
Final Action	07/08/99	64 FR 36763
Final Action Effective	09/07/99	

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

**Agency Contact:** JoAnn Perrini  
Phone: 202 606-2858  
Fax: 202 606-0824  
Email: payleave@opm.gov

RIN: 3206-AF38

**4020. AGENCY DETERMINATIONS ON PAYMENT OF RELOCATION COSTS****Priority:** Other Significant**CFR Citation:** 5 CFR 572**Completed:**

Reason	Date	FR Cite
Withdrawn	08/31/99	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Michael Carmichael

Phone: 202 606-0830

Fax: 202 606-0023

RIN: 3206-AH50

**4021. • ABSENCE AND LEAVE; USE OF RESTORED ANNUAL LEAVE****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 6311**CFR Citation:** 5 CFR 630**Legal Deadline:** None

**Abstract:** The Office of Personnel Management is proposing regulations to aid agencies and employees involved in Year 2000 (Y2K) computer conversion efforts. The regulations provide that excess annual leave forfeited by employees who are unable to schedule and use their leave as a result of Y2K computer conversion efforts will be deemed to have been scheduled in advance and therefore eligible for restoration.

**Timetable:**

Action	Date	FR Cite
NPRM	06/13/99	64 FR 31735
NPRM Comment Period End	07/14/99	
Final Action	08/25/99	64 FR 46257
Final Action Effective	08/25/99	

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

**Agency Contact:** JoAnn Perrini, Workforce Compensation and Performance Service, Office of Personnel Management, Office of Compensation Administration, 1900 E Street NW, Washington, DC 20415  
Phone: 202 606-2858  
Fax: 202 606-0824  
Email: payleave@opm.gov

RIN: 3206-AI71

**4022. FEDERAL EQUAL OPPORTUNITY RECRUITMENT PROGRAM (FEORP)****Priority:** Substantive, Nonsignificant**CFR Citation:** 5 CFR 720

## OPM

## Completed Actions

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/31/99	

**Regulatory Flexibility Analysis Required:** No

Government Levels Affected: None

**Agency Contact:** Armando E. Rodriguez  
Phone: 202 606-1059  
TDD Phone: 912 744-2299

RIN: 3206-AH98

**4023. DISABLED VETERANS AFFIRMATIVE ACTION PROGRAM (DVAAP)**

Priority: Substantive, Nonsignificant

CFR Citation: 5 CFR 720

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/31/99	

**Regulatory Flexibility Analysis Required:** No

Government Levels Affected: None

**Agency Contact:** Armando E. Rodriguez  
Phone: 202 606-1059  
TDD Phone: 912 744-2299

RIN: 3206-AH99

**4024. RETIREMENT; DETERMINATIONS OF MARITAL STATUS FOR SURVIVOR ANNUITIES**

Priority: Substantive, Nonsignificant

CFR Citation: 5 CFR 831; 5 CFR 842; 5 CFR 843

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/31/99	

**Regulatory Flexibility Analysis Required:** No

Government Levels Affected: None

**Agency Contact:** John Panagakos  
Phone: 202 606-0299  
Email: combox@opm.gov

RIN: 3206-AG60

**4025. VOLUNTARY EARLY RETIREMENT AUTHORITY**

Priority: Substantive, Nonsignificant

CFR Citation: 5 CFR 831; 5 CFR 842

**Completed:**

Reason	Date	FR Cite
Final Action	10/04/99	64 FR 53581
Final Action Effective	10/04/99	

**Regulatory Flexibility Analysis Required:** No

Government Levels Affected: None

**Agency Contact:** Greg Keller  
Phone: 202 606-0960

RIN: 3206-AI25

**4026. RETIREMENT; NATIONAL GUARD TECHNICIANS; ADJUSTMENTS TO ANNUITY**

Priority: Substantive, Nonsignificant

CFR Citation: 5 CFR 831

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/31/99	

**Regulatory Flexibility Analysis Required:** No

Government Levels Affected: None

**Agency Contact:** Patricia A. Rochester  
Phone: 202 606-0299  
Email: combox@opm.gov

RIN: 3206-AI42

**4027. FEDERAL EMPLOYEES' GROUP LIFE INSURANCE PROGRAM: COURT ORDERS**

Priority: Substantive, Nonsignificant

CFR Citation: 5 CFR 870

**Completed:**

Reason	Date	FR Cite
Interim Final Rule	04/06/99	64 FR 16601
Final Action	10/08/99	64 FR 54761
Final Action Effective	10/08/99	

**Regulatory Flexibility Analysis Required:** No

Government Levels Affected: None

**Agency Contact:** Karen Leibach  
Phone: 202 606-0004  
Email: kjleibac@opm.gov

RIN: 3206-AI49

**4028. FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM: CONTRIBUTIONS AND WITHHOLDING**

Priority: Info./Admin./Other

CFR Citation: 5 CFR 890

**Completed:**

Reason	Date	FR Cite
Final Action	04/01/99	64 FR 15633
Final Action Effective	05/03/99	

**Regulatory Flexibility Analysis Required:** No

Government Levels Affected: None

**Agency Contact:** Bonnie R. Rose  
Phone: 202 606-0004  
Email: brrose@opm.gov

RIN: 3206-AI33

**4029. FEHB AND DOD DEMONSTRATION PROJECT**

Priority: Info./Admin./Other

CFR Citation: 5 CFR 890

**Completed:**

Reason	Date	FR Cite
Interim Final Rule	07/06/99	64 FR 36237
Withdrawn - Duplicate of RIN 3206-AI67	08/31/99	

**Regulatory Flexibility Analysis Required:** No

Government Levels Affected: None

**Agency Contact:** Michael W. Kaszynski  
Phone: 202 606-0004  
Fax: 202 606-0633  
Email: mwkaszyn@opm.gov

RIN: 3206-AI63

**4030. AUTHORIZATION OF SOLICITATIONS DURING THE COMBINED FEDERAL CAMPAIGN**

Priority: Info./Admin./Other

CFR Citation: 5 CFR 950

**Completed:**

Reason	Date	FR Cite
Final Action	05/19/99	64 FR 27169
Final Rule Effective	06/18/99	

**Regulatory Flexibility Analysis Required:** No

Government Levels Affected: None

**Agency Contact:** Becky Kumar  
Phone: 202 606-1700

RIN: 3206-AI53

**4031. • VOTING RIGHTS PROGRAM**

Priority: Other Significant

Legal Authority: 5 USC 1103; 42 USC 1973

CFR Citation: 45 CFR 801

Legal Deadline: None

OPM

Completed Actions

**Abstract:** The Office of Personnel Management is establishing two new offices for filing applications or complaints under the Voting Rights Act of 1965, as amended. This designation is necessary to enforce the voting guarantees of the Fourteenth and Fifteenth amendments to the Constitution. This amendment establishes Leake County, Mississippi, and Chickasaw County, Mississippi, as

new offices for filing applications or complaints.

**Timetable:**

Action	Date	FR Cite
Final Action Effective	08/02/99	
Final Action	08/03/99	64 FR 42039

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 3206-AI77

[FR Doc. 99-29936 Filed 11-19-99; 8:45 am]

**BILLING CODE** 6325-01-F