

Office of Personnel Management - Retrospective Review Update January 2016

| Agency | Sub-agency | Title Of Initiative/Rule or ICR | RIN/OMB Control Number | Summary of Initiative | Status of Initiative -- New to this update, Ongoing, or Completed | Target Completion Date (if completed, please add the publication date and cite in Federal Register for example) | Does the Initiative include regulatory flexibilities such as pilot projects, safe harbor exemptions, sunset provisions, trigger provisions, streamlined requirements, state flexibilities, or other similar strategies? | What methods will you engage in to Identify Improvements (public comment, analyses, third party assessments, etc). Please identify all that apply | If Available, anticipated or realized savings in costs &/or burdens and anticipated or realized changes in benefits |
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| OPM | Employee Services | Federal Employees Health Benefits Program and Federal Employees Dental and Vision Insurance Program: Eligibility for Pathways Programs Participants | 3206-AM97 | Updates the Federal Employees Health Benefits Program (FEHBP) and the Federal Employees Dental and Vision Insurance Program (FEDVIP) regulations to reflect updated election opportunities for participants in the Pathways Programs. | Ongoing | Published as Interim Final Rule on 1/6/2014, 79 FR 531; Effective 02/05/2014 Final Rule Target 2016 | Rule update | These interim final regulations support the previous final rule by OPM, published May 11, 2012, which issued final regulations implementing the Pathways Programs and established the framework for each of the three discrete internship programs for students and recent graduates. All regulations were initially published in the Federal Register as proposed. In addition, OPM highlighted the publication of this proposed regulation at our annual carrier conference and as a part of our Program Advisory Group which includes members of Federal employee unions. | OPM issued a final rule that clarifies that excepted service employees hired under the Pathways Programs authority may elect to enroll for coverage in the FEHBP and FEDVIP if they meet applicable Federal requirements. Positions in the Pathways Programs are excepted from the competitive service. |
| OPM | Employee Services | Federal Employees' Group Life Insurance (FEGLI) regulations: Election Opportunities for Pathways Participants | 3206-AM98 | Updates the Federal Employees' Group Life Insurance (FEGLI) regulations to reflect updated election opportunities for participants in the Pathways Programs, which were designed to promote employment for students and recent graduates in the Federal workforce through internships with Federal agencies. | Ongoing | Published as Interim Final Rule on 1/6/2014, 79 FR 530; Effective 2/5/2014 - Final Rule Target 2016 | Rule update | These interim final regulations support the previous final rule by OPM, published May 11, 2012, which issued final regulations implementing the Pathways Programs and established the framework for each of the three discrete internship programs for students and recent graduates. All regulations were initially published in the Federal Register as proposed. In addition, OPM highlighted the publication of this proposed regulation at our annual carrier conference and as a part of our Program Advisory Group which includes members of Federal employee unions. | OPM amended the FEGLI regulation to reflect that excepted service employees hired under the Pathways Programs authority may elect to enroll for coverage in FEGLI if they meet applicable Federal requirements. This rule makes a technical correction to the FEGLI regulations to clarify that Pathways Programs interns are eligible to enroll in FEGLI coverage if they meet certain qualifications. |

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| OPM | Employee Services | Veterans' Preference | 3206-AM79 | Implements statutory changes pertaining to veterans' preference. These changes were in response to the Hubbard Act, which broadened the category of individuals eligible for veterans' preference; and to implement the VOW (Veterans Opportunity to Work) to Hire Heroes Act of 2011, which requires Federal agencies to treat certain active duty service members as preference eligibles for purposes of competing for a position in the competitive service, even though the service members have not been discharged or released from active duty and do not have a Department of Defense (DD) form 214, Certificate of Release or Discharge from Active Duty. In addition, OPM updated its regulations to reference existing requirements for the alternative ranking and selection procedure called "category rating;" and to add a reference to the end date of Operation Iraqi Freedom, which affected veteran status and preference eligibility. This action will align OPM's regulations with the existing statute. | Ongoing | Interim Rule Published 12/29/2014, 79 FR 77833; Effective 12/29/2014 - Final Rule Target 2016 | Rule Update | We did not engage members of the public or stakeholder groups prior to issuing this regulation. The purpose of the issuance was to align OPM's regulations with existing statutes. The regulations became effective upon issuance and public comments were received after publication. | N/A | |
| OPM | Planning and Policy Analysis | Tribal FEHB | N/A | The Affordable Care Act (ACA), passed in 2010, included a provision giving tribes, tribal organizations and urban Indian organizations the opportunity to purchase health insurance under the Federal Employees Health Benefit Program (FEHB) for their employees, which OPM oversees as administrators of the FEHB. From the inception of the offering in May, 2012, over 16,000 tribal employees from 75 tribal employers are covered in the tribal FEHB Program. | Under Development | 2016 | Rule Update | From the inception of the offering in May, 2012, over 16,000 tribal employees from 75 tribal employers are covered in the tribal FEHB Program. Since 2011, a variety of communications have been utilized, including but not limited to, conferences, open discussion forums, creation of a Tribal desk for inquiries, continued outreach to various Tribal entities, creation of guidance for Tribal entities, Tribal FEHB Handbook, and monthly training opportunities for Tribal Benefits Officers and Human Resource representatives. The tribal FEHB proposed rule is still in development in order to ensure the FEHB Program meets the needs of the Tribal entities. In addition to standard procedures for gathering public comments, OPM plans to attend tribal meetings and conferences during the public comment period and to host a teleconference for interested tribal entities. | N/A | |

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| OPM | Employee Services | Career and Career-Conditional Employment; Creditable Service | 3206-AM64 | Revises the regulations on creditable service for career tenure. The proposed regulation removes the requirement for creditable service to be substantially continuous. This change will assist individuals who leave Federal service before meeting the requirement and subsequently return to a qualifying appointment. | Ongoing | 2016 | Streamlined requirements | Public comments will be solicited for the proposed rule; agencies will be allowed to provide extensive input throughout the process, | N/A |
| | | Revision to Optional Form 306 - Declaration for Federal Employment | N/A | Modifies OPM's rules to better ensure that applicants from all segments of society, including those with prior criminal histories, receive a fair opportunity to compete for Federal employment. The proposed changes, which will be published early next year, would prohibit the collection of criminal background information until the best qualified candidates are referred to a hiring manager. These regulations would better ensure that applicants are evaluated as to relevant competencies before criminal history information is collected. OPM would be providing a mechanism for requesting exceptions when there are legitimate, specific job-related, reasons why agencies may need to disqualify candidates with certain types of adverse history from particular types of positions. | Under Development | 2016 | Rule update | Public comments will be solicited for the proposed rule; agencies will provide input through the interagency review process. | N/A |
| OPM | Employee Services | Human Resources Management Reporting Requirements | 3206-AM69 | Revises various parts of 5 CFR to remove unnecessary provisions relating to agency reporting requirements. | Completed | Published 12/4/2015, 80 FR 75785; Effective 1/04/2016 | Streamlined requirements | Public comments were solicited for the proposed rule, and human resource departments provided input | This regulation implements a provision of E.O. 13583 of August 18, 2011, which requires OPM to develop a strategy for consolidating agency reports on various human capital programs and activities, where appropriate and permitted by law. It removes unnecessary agency reporting requirements that are required by regulation alone. |
| OPM | Employee Services | Managing SES Performance | 3206-AM48 | Provides system standards for a more consistent approach to SES appraisal and allow agencies to use a streamlined certification process. | Completed | Published 9/25/2015, 80 FR 57693; Effective 10/26/2015 | Streamlined requirements | Public comments were solicited for the proposed rule; agencies have provided extensive input throughout the process | The regulations will encourage agencies to use OPM-provided templates, significantly reducing each agency's separate expenditure of personnel hours and costs associated with developing separate training, communications, and implementation products; will also facilitate agency system approval and certification. |

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| OPM | Merit System Audit Compliance | Combined Federal Campaign | 3206-AM68 | Amends the Combined Federal Campaign regulations to strengthen the integrity, streamline the operation and increase the effectiveness of the program to ensure its continued growth and success. | Completed (Effective 2017) | Published 4/17/2014, 79 FR 21581; Effective 1/1/2017 | Streamlined requirements and operations | A total of 1,382 comments were received from participating CFC organizations, Principal Combined Fund Organizations, members of Local Federal Coordinating Committees, individuals, and Federal government agencies. As a result of these comments, OPM made a number of changes to improve these final rules. | Charitable organizations applying to the CFC have an existing, independent obligation to comply with the eligibility and public accountability standards contained in current CFC regulations. Streamlining these standards will be less burdensome. |
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