

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
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 Program: 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	<p>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.</p>	Ongoing	Interime Rule Published 12/29/2014, 79 FR 77833; Effective 12/29/2014 - Final Rule Target 2016	Rule Update	<p>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.</p>	N/A
OPM	Planning and Policy Analysis	Tribal FEHB	N/A	<p>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.</p>	Under Development	2016	Rule Update	<p>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.</p> <p>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.</p> <p>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.</p>	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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