

## Office of Personnel Management (OPM) - Retrospective Review Report

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	Planning and Policy Analysis	Federal Employees Health Benefits Program; Tribes and Tribal Organizations	3206-AM40	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 OIRA Review	Proposed Rule Target Publication July 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
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	Interime Rule Published 12/29/2014, 79 FR 77833; Effective 12/29/2014 - Final Rule Target November 2016	Rule Update	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

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	Employee Services	Recruitment, Selection, and Placement (General) And Suitability	3206-AN25	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.	Ongoing	Proposed Rule Published 5/2/2016; 81 FR 26173; Final Rule Publication Target November 2016	Rule update	Public comments will be solicited for the proposed rule; agencies will provide input through the interagency review process.	N/A
OPM	Federal Investigation Services	Privacy Procedures for Personnel Records	3206-AN27	The Office of Personnel Management (OPM) proposes to amend part 297 of title 5, Code of Federal Regulations, to implement a timeframe to submit a request for administrative review on internal or central system of records. This proposed change will allow greater efficiency in processing appeals and requests for administrative review and will also improve the office's records maintenance and disposal policies.	Ongoing	Proposed Rule Published 5/6/2016; 81 FR 27352; Final Rule Target Publication November 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	Personnel Management in Agencies	3206-AL98	The U.S. Office of Personnel Management (OPM) will issue a final rule that will provide regulatory definitions for various documents related to the strategic management of human resources, clarify requirements regarding the systems and metrics for managing human resources in the Federal Government, streamline/clarify procedures agencies are required to follow, eliminate the Human Capital Management Report, and reflect the planning and reporting requirements of the Government Performance and Results Modernization Act.	Ongoing	Proposed Rule Published 2/8/2016; 81 FR 6469; Final Rule Target Publication November 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	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.	Under OIRA Review	Proposed Rule Target Publication November 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

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OPM	Employee Services	Employment in the Excepted Service	3206-AN31	The U.S. Office of Personnel Management (OPM) is issuing proposed regulations to implement the Wounded Warriors Federal Leave Act of 2015, which established a separate new leave category, to be known as disabled veteran leave, for any new Federal employee who is a veteran with a service-connected disability rated at 30 percent or more for purposes of undergoing medical treatment for such disability.	Ongoing	Proposed Rule Target Publication November 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	Senior Employee Performance Management System Certification	3206-AL20	The U.S. Office of Personnel Management (OPM) is proposing changes to the senior employee performance management system certification regulations which will ultimately replace interim regulations published in 2004. Proposed changes reflect lessons learned from several years of certifying agency Senior Executive Service (SES) and Senior-Level (SL) and Scientific and Professional (ST) performance management systems and recommendations from a cross-agency workgroup.	Ongoing	Proposed Rule Target Publication November 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	Medical Qualification Determinations	3206-AL14	The U.S. Office of Personnel Management (OPM) will revise its regulations for medical qualification determinations. The revised regulations would update references and language; add and modify definitions; clarify coverage and applicability; address the need for medical documentation and medical examination and/or testing for an applicant or employee whose position may or may not have medical standards, physical requirements and/or physical fitness standards or testing; and may recommend the establishment of agency medical review boards. The final rule would provide agencies with more comprehensive guidance regarding medical evaluation and clearance procedures and implementation of a comprehensive physical fitness and medical standards program for applicants and employees.	Ongoing	Proposed Rule Target Publication November 2016	Rule update	Public comments will be solicited for the proposed rule; agencies will provide input through the interagency review process.	N/A

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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 November 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.
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 November 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.