

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT



# Retrospective Review Report

February 2015

*a New Day for Federal Service*

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	Designation of National Security Positions	3206-AM73	Clarification of the standards for designating whether Federal positions are national security sensitive.	Ongoing	FY 2015	Streamlined standards/clarifications	Public comments were solicited for the proposed rule, and Federal agencies have given OPM and ODNI extensive input into the drafting of the final rule.	The purpose of these amendments is to help agencies more accurately assess whether a position should be designated as national security sensitive, and, if so, at what level. We do not anticipate significant changes in either costs or burdens, as we are not changing the underlying standards - simply providing additional guidance.
OPM - Employee Services	Human Resources Management Reporting Requirements	3206-AM69	Proposed rule would revise various parts of 5 CFR to remove unnecessary provisions relating to agency reporting requirements.	Ongoing	FY 2015	Streamlined requirements	Public comments were solicited for the proposed rule, and human resource departments provided input	This regulation would implement 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. This regulation would remove unnecessary agency reporting requirements that are required by regulation alone.
OPM - Employee Services	Managing SES Performance	3206-AM48	Proposed rule would provide system standards for a more consistent approach to SES appraisal and allow agencies to use a streamlined certification process.	Ongoing	FY 2015	Streamlined requirements	Public comments are still being received for the recently published proposed rule; agencies have provided extensive input throughout the process	Revisions 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.

OPM - Employee Services	Excepted Service, Career and Career-Conditional Employment; and Pathways Programs	3206-AM34	Final rule implemented the Pathways Programs established by E.O. 13562, signed December 27, 2010. As directed by the President, the Pathways Programs provides clear paths to Federal internships and potential careers in Government for students and recent graduates.	Completed	Final Rule Effective July 10, 2012	Streamlined requirements		
OPM - Employee Services	SL/ST Pay for Performance	3206-AL88	Regulatory changes implement legislative changes (2008) to align SL/ST pay more closely with SES.	Completed	Final Rule Effective April 4, 2014	N/A	Public comments were solicited for the proposed rule; the Executive Resources Forum was used as a means of briefing and discussing the changes with Executive Resources contacts.	We expect revisions to allow agencies to simplify SL/ST pay for performance by making it more like SES, with which they are already familiar.
OPM - Diversity and Inclusion	Nondiscrimination Provisions	3206-AM77	Updated various nondiscrimination provisions appearing in title 5, Code of Federal Regulations, to provide greater consistency and reflect current law.	Completed	Final Rule Effective July 29, 2014	N/A	OPM received many public comments during the proposed rule phase of the rule, and spoke with several agencies through the drafting process.	OPM chose these regulations for retrospective review to further respond to a separate instruction issued by President Obama in a June 17, 2009, Memorandum on Federal Benefits and Nondiscrimination. That memorandum directed OPM to issue guidance "regarding compliance with, and implementation of, the civil service laws, rules, and regulations, including 5 U.S.C. 2302(b)(10), which make it unlawful to discriminate against Federal employees or applicants for Federal employment on the basis of factors not related to job performance.

<p>OPM - Merit System Audit Compliance</p>	<p>Combined Federal Campaign</p>	<p>3206-AM68</p>	<p>The rule amended 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.</p>	<p>Completed (Effective 2016)</p>	<p>Final Rule Effective January 1, 2016</p>	<p>Streamlined requirements and operations</p>	<p>The ideas behind the changes were initially developed by the CFC-50 Commission, composed of Federal employees, private campaign administrators, charitable organizations and "watchdog" groups. OPM received 1,382 comments on the proposed rule, and met with many charitable organizations to discuss the proposed changes. Since the final rule's publication, OPM has had extensive public outreach regarding the changes, and will continue to guide and perform outreach as the 2016 effective date approaches.</p>	<p>The regulation eliminates paper processes for making charitable contributions through the CFC in favor of electronic donations. It will streamline management of the CFC and eliminate barriers so that donors may contribute to any eligible organization. Finally, it will leverage existing payroll processing functions to reduce overhead.</p>
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