

U.S. Office of Personnel Management

Statement of Regulatory and Deregulatory Priorities

Fall 2020 Unified Agenda

OPM works in several broad categories to recruit, retain and honor a world-class workforce for the American people.

- We manage Federal job announcement postings at USAJOBS.gov, and set policy on Governmentwide hiring procedures.
- We conduct background investigations for prospective employees and security clearances across government, with hundreds of thousands of cases each year.
- We uphold and defend the merit systems in Federal civil service, making sure that the Federal workforce uses fair practices in all aspects of personnel management.
- We manage pension benefits for retired Federal employees and their families. We also administer health and other insurance programs for Federal employees and retirees.
- We provide training and development programs and other management tools for Federal employees and agencies.
- In many cases, we take the lead in developing, testing and implementing new Governmentwide policies that relate to personnel issues.

Altogether, we work to make the Federal Government America's model employer for the 21st century.

OPM's Regulatory Philosophy and Principles

Executive Order 13777, "Enforcing the Regulatory Reform Agenda" (February 24, 2017), required OPM to appoint a Regulatory Reform Officer to oversee the implementation of regulatory reform initiatives and policies and establish a Regulatory Reform Task Force (Task Force) to review and evaluate existing regulations and make recommendations to the agency head regarding their repeal, replacement, or modification, consistent with applicable law.

These reform initiatives and policies include Executive Order 13771, "Reducing Regulation and Controlling Regulatory Costs" (January 30, 2017), section 6 of Executive Order 13563, "Improving Regulation and Regulatory Review" (January 18, 2011), and Executive Order 12866.

In relation to Executive Order 13771, many of OPM's agenda items are either exempt under section 4(b) of the order, or deregulatory. The agenda includes four rules that are considered deregulatory items.

- **Temporary and Term Employment** - OPM is proposing a rule to allow agencies to make up to 10 year term appointments in Science, Technology, Engineering, Mathematics (STEM) occupations; positions needed to stand-up, operate, and close-out time-limited organizations which have specific statutory appropriations; and time-limited projects which have been funded through specific appropriations. The purpose of the regulation is to provide agencies with greater flexibility to staff foreseeably long-term projects of a STEM nature when the need for work is not permanent, and other time-limited work when authorized by specific funding by Congress.
- **Federal Employees Health Benefits Program: Centralized Enrollment** - The Office of Personnel Management (OPM) proposes to amend title 5 part 890 of the Code of Federal Regulations governing the Federal Employees Health Benefits (FEHB) Program to allow OPM to make improvements and clarifications to the FEHB Program's enrollment rules and processes, including centralizing certain health benefits enrollment functions. Currently, enrollment is administered by an enrollee's employing agency or retirement system. This rule would allow OPM to leverage necessary IT functionality in order to conduct certain enrollment functions and collect information necessary to administer FEHB enrollments with greater efficiency and in alignment with the best practices of employer-sponsored insurance programs.
- **FEDVIP: Extension of Eligibility to Certain Employees on Temporary Appointments and Certain Employees on Seasonal and Intermittent Schedules; Enrollment**

Clarifications and Qualifying Life Events - The U.S. Office of Personnel Management (OPM) is issuing a proposed rule to expand eligibility for enrollment in the Federal Employees Dental and Vision Insurance Program (FEDVIP) to additional categories of Federal employees. This proposed rule expands eligibility for FEDVIP to certain Federal employees on temporary appointments and certain employees on seasonal and intermittent schedules that became eligible for Federal Employees Health Benefits (FEHB) enrollment beginning in 2015. This rule also expands access to FEDVIP benefits to certain firefighters on temporary appointments and intermittent emergency response personnel who became eligible for FEHB coverage in 2012. These additions will align FEDVIP with FEHB Program eligibility requirements. This proposed rule also updates the provisions on enrollment for active duty service members who become eligible for FEDVIP as uniformed service retirees pursuant to the National Defense Authorization Act of 2017 (FY17 NDAA), Public Law 108-496. In addition, this rule proposes to add qualifying life events (QLEs) for enrollees who may become eligible for and enroll in dental and/or vision services from the Department of Veterans Affairs and since this issue may impact TRICARE-eligible individuals (TEIs) and other enrollees.

The agenda includes one rule that promotes open government and uses disclosure as a regulatory tool.

- **Freedom of Information Act (FOIA) Regulations** - This proposed rule seeks to remove obsolete sections of OPM's FOIA regulations and incorporate all FOIA amendments, inclusive of the FOIA Improvement Act of 2016.

OPM also has a regulatory item that focus on Administration priorities and Executive Orders.

These include:

- **Paid Parental Leave** - The U.S. Office of Personnel Management (OPM) is issuing new and revised regulations that provide a new paid leave benefit, Paid Parental Leave, for qualifying Family and Medical Leave Act (FMLA) periods. The Federal Employee Paid Leave Act created this new category of paid leave and established parameters for its use. The regulations will provide a framework for agency compliance with the new statutory

requirements.

A fully searchable e-Agenda is available for viewing in its entirety at www.reginfo.gov. Agenda information is also available at www.regulations.gov, the government-wide website for submission of comments on proposed regulations. Our fall 2020 agenda follows.

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