

## **U.S. Office of Personnel Management**

### **Statement of Regulatory and Deregulatory Priorities**

#### **2026 Unified Agenda**

The Office of Personnel Management (OPM) serves as the chief human resources agency and personnel policy manager for the Federal Government. We are champions of talent for the Federal Government, leading Federal agencies in workforce policies, programs, and benefits in service to the American people. We seek to position the Federal Government as a model employer through innovation and leadership as we build a rewarding culture that empowers the Federal workforce to tackle some of our nation's toughest challenges. Additionally, OPM manages a number of programs on behalf of the Federal workforce, including retirement services and health benefits. In these areas, OPM strives to serve as a model not only for other Federal agencies, but for other employers as well.

OPM's regulatory agenda is aligned with these core mission areas and advances multiple Trump Administration priorities. Indeed, each of OPM's regulations is focused on improving the efficiency and effectiveness of Government—a key Administration priority. In addition, several of OPM's regulations are:

- Actions that focus on regulatory reform and deregulation;
- Actions that enhance program oversight;
- Actions that strengthen eligibility standards; or
- Actions that streamline implementation.

#### **I. Actions That Focus on Regulatory Reform and Deregulation**

OPM is committed to recruiting, retaining, and supporting a world-class Federal workforce. This requires developing incentives for identifying and rewarding high-performing employees, providing useful feedback on employee performance, and addressing poor performance. OPM's regulatory agenda is intended to advance these goals and reposition the Federal workforce as a place where talented and motivated workers feel that their contributions to public service are valued and rewarded. OPM's regulatory agenda is directed toward advancing each of these goals, thereby enhancing the Federal Government's capacity to serve both Administration priorities and the needs of the American people.

- *Reduction in Force (3206-AO86)*

OPM is overhauling the regulations for reductions in force (RIF) to reduce the amount of agency resources needed to execute reduction in force actions. Key elements of the proposal are amending the retention factors to prioritize performance over length of service when determining which employees will be retained in a RIF, providing greater flexibility to agencies in structuring a RIF, and narrowing the scope of employees subject to the onerous documentation requirements. OPM anticipates this proposal would result in a more streamlined and efficient RIF process.

- *Elimination of Time in Grade (3206-AP05)*

OPM proposes eliminating the time-in-grade (TIG) restriction on advancement to competitive service positions in the General Schedule. Currently, employees in competitive service General Schedule positions in grades 5 and above must serve 52 weeks in grade before becoming eligible for promotion to the next grade level. Abolishing the restriction would eliminate the 52-week service requirement. TIG is an administrative burden which unduly restricts agencies' ability to make selections based on job-related criteria and may be a disincentive to recruiting or retaining employees with needed skills sets. OPM anticipates that eliminating TIG-related approvals and

reviews may lead to efficiency gains by enabling agencies to fill positions with qualified candidates more quickly than is currently the case. An employee must continue to meet occupational qualification standard requirements and any additional job-related qualification requirements established for the position.

- *Attorney Fees and Personnel Action Coverage under the Back Pay Act (3206-AO87)*

OPM is proposing regulations governing the coverage of, and attorney fee awards under, the Back Pay Act to reduce administrative burdens and better comport with Congressional intent. OPM anticipates that the overall costs to Federal agencies would decrease because of the reduction in the types of actions covered by the back pay regulations and a decrease in the amount of attorney fees agencies are required to pay. As part of OPM's regulatory review pursuant to Executive Order 14219 (90 FR 10583), OPM identified the back pay regulations as not being based on the best reading of the underlying statutory authority. OPM proposes narrowing the definition of "personnel action" consistent with the underlying statutory authority. In addition, OPM proposes to limit the payment of attorney fees to ensure that taxpayer dollars are spent wisely and effectively.

- *Suitability and Fitness (3206-AO84)*

OPM plans to finalize its rulemaking to amend the Federal Government personnel vetting adjudicative criteria for determining suitability or fitness. The purpose of the rule is to improve the rigor and timeliness by which OPM and agencies vet individuals for risk to the integrity and efficiency of the service and to make clear that individuals who engage in serious misconduct while employed in Federal service are subject to the same suitability procedures and actions as applicants for employment. The proposed would revise the standards and processes by which OPM and agencies efficiently and appropriately vet individuals. More expeditious removal and

debarment of individuals found to negatively impact the integrity or efficiency of the service will reduce risks posed by such individuals and will reduce costs to agencies, allowing them to spend resources on mission services rather than administrative processes.

- *Reduction in Force Appeals (3206-AO99)*

OPM is proposing to modify the regulations for reduction in force (RIF) to streamline the RIF appeals process. The proposed rule would streamline the appeals process, which will save agencies and appellants money and allow prompt resolution of disputes.

- *Suitability Action Appeals (3206-AO97)*

OPM is proposing amendments to the review processes for suitability actions. The purpose of the proposed rule is to streamline the appeals process, saving agencies and appellants money and allowing all parties to reach final resolution more promptly.

## **II. Actions that Enhance Program Oversight**

Through the One Big Beautiful Bill Act, Congress and the President required OPM to strengthen mechanisms for ensuring the validity of outlays from the Federal Employees Health Benefits (FEHB) program, including ensuring that enrolled individuals and claims paid are valid under program criteria. OPM is undertaking a range of regulatory actions to effectuate its statutory requirements and harmonize with Administration priorities to eliminate waste, fraud, and abuse within the FEHB program.

- *Federal Employees Benefits: Enrollment Integrity (3206-AO93)*

OPM is proposing new standards to improve enrollment integrity and accuracy in Federal employee benefits programs, including the Federal Employees Health Benefits and Federal Employee Group Life Insurance Programs. This would include amendments to 5 CFR parts 870 and 890 to establish a new eligibility determination process for children who are age 26 and over

and who are incapable of self-support. In addition, OPM is proposing to: (1) allow employing offices to adjust enrollment type from Self and Family or Self plus one to Self Only if there is only one person covered by the enrollment and (2) prohibit ineligible family members from receiving a 31-day extension of coverage when their coverage is terminated due to a reduction in the enrollee's enrollment type.

- *Federal Employees Health Benefits Protection Act Implementing Regulations (3206-AP08)*

OPM is proposing a process to verify a qualifying life event through which an FEHB or PSHB enrollee seeks to add a member of family to their enrollment. The regulations will also provide a process to confirm that any added individual is a covered family member, including in any Open Season. The regulations will implement requirements of the One Big Beautiful Bill Act to reduce fraud in the Government health insurance programs.

### **III. Actions that Streamline Implementation**

The Trump Administration has placed an emphasis on enhancing the efficiency of the Federal Government. OPM continues to undertake regulatory actions to make Federal programs and personnel more effective. Through its regulatory agenda, OPM intends to continue the work of promoting a dedicated and efficient civil service. Several regulatory actions this year will modernize hiring and performance management for the Federal workforce to improve efficiency and provide agencies with additional flexibilities in the hiring process. Through these changes, OPM intends to streamline Federal hiring and to accurately measure the performance of incumbent federal employees.

- *Recruitment and Selection Through Competitive Examination (3206-AO24)*

The Competitive Service Act of 2015 was intended to facilitate faster hiring through the sharing of talent across the Government by permitting agencies to share resumes and select from among

candidates who have competed for similar positions at another hiring agency, were assessed, and were referred by that agency. OPM is proposing regulatory changes to allow the head of a Federal agency to share a competitive certificate of eligibles with one or more other agencies for the purpose of making selections of qualified candidates. OPM is also proposing changes to clarify the use of examinations and require Federal agencies to use technical assessments to fill most positions in the competitive service. This rule will facilitate the hiring of top talent across Federal agencies. Although the use of shared certificates is discretionary, OPM anticipates that agencies that take advantage of the new provisions will experience cost savings as a result of expedited time-to-hire and other efficiencies across Government.

- *Superior Qualifications and Special Needs Pay-setting Authority (3206-AO95)*

OPM is issuing proposed regulations to clarify the applicability of the superior qualifications and special needs pay-setting authority for certain categories of General Schedule employees in the excepted service. OPM believes it is necessary to clarify whether the superior qualifications and special needs pay-setting authority applies to certain categories of General Schedule positions in the excepted service, especially as new categories of excepted service positions are created, such as positions in the new Schedule G. OPM also proposes revising the regulations to allow agencies to use their authority under 5 CFR 6.3 to set pay for General Schedule employees in the excepted service instead of using the superior qualifications and special needs pay-setting authority.

- *Personnel Management in Agencies: Strategic Human Capital Management (3206-AO77)*

OPM is issuing a proposed rule to redefine, clarify, and update the agency reporting requirements for agencies related to strategic human capital management. This rulemaking will address the Federal Workforce Priorities Report, HRStat Data-driven Reviews, Human Capital Operating

Plan, Human Capital Reviews, and employee surveys. These amendments will better align human capital management practices to broader agency strategic human capital planning. The rule will emphasize that plans are non-final, deliberative documents that should not be disclosed as they are crucial for robust workforce planning.

- *Performance Management Systems for General Schedule, Prevailing Rate, and Certain Other Employees (3206-AP06)*

OPM is proposing amendments to the current performance management regulations covering General Schedule (GS), Prevailing Rate, and certain other employees. The proposed rule would increase efficiency and accountability in performance management by reducing available summary level patterns, removing the prohibition of a forced distribution of performance rating levels, and incorporating additional evaluation of GS appraisal system(s) by OPM. These proposals are consistent with the changes OPM has proposed for other segments of the Federal workforce such as senior professionals and the Senior Executive Service.

- *Managing Senior Professional Performance (3206-AO88)*

OPM is proposing to separate the performance management regulations for senior level (SL) and scientific/professional (ST) employees (senior professionals) from general schedule employees. This rule will enhance agency oversight over senior professional (SP) performance ratings. The proposed amendments would largely align the SP performance management regulations with those for the Senior Executive Service. The new regulations would remove the prohibition of forced distribution of performance rating levels. Currently, agencies are prohibited from establishing quotas or limits on the number or proportion of the various rating levels assigned, meaning that each senior professional can potentially receive any rating based on their performance, irrespective of how other senior professionals perform within the agency. However,

governmentwide SP ratings data have consistently shown that virtually all SP employees receive the highest rating levels (i.e., levels 4 and 5) despite documented reports of failings. Removing the prohibition on forced distribution would allow agencies to establish and enforce limits on the highest SP rating levels, thereby increasing rigor in the SP appraisal process and leading to a more normalized distribution of SP ratings across the Federal Government.

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