

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 213

RIN 3206-AH67

Excepted Service—Schedule A Authority for Temporary Organizations

AGENCY: Office of Personnel Management.

ACTION: Proposed regulations.

SUMMARY: The Office of Personnel Management (OPM) proposes to amend the Schedule A excepted service appointing authority used by agencies to fill positions in temporary organizations at GS-15 and below. These regulations would delete the maximum grade level limitation to permit agencies to make such appointments also to Senior Level positions.

DATES: Comments must be received on or before January 31, 1997.

ADDRESSES: Send or deliver written comments to Mary Lou Lindholm, Associate Director for Employment, Office of Personnel Management, Room 6F08, 1900 E Street, NW., Washington, DC 20415.

FOR FURTHER INFORMATION CONTACT: Sylvia Cole on (202) 606-0830, TDD (202) 606-0023, or FAX (202) 606-2329.

SUPPLEMENTARY INFORMATION: The Schedule A authority for appointing staff in temporary organizations was established in 1979. It permits agencies to fill positions on the staffs of temporary boards and commissions established by law or Executive order for specified periods not to exceed 4 years. The authority also permits appointments in temporary organizations established within existing agencies to perform work outside the agency's continuing responsibilities. Currently appointments can only be made at GS-15 and below.

OPM has authority to except positions under Schedule A when examining for them is impracticable. Temporary boards and commissions established by law or Executive order need to be

staffed and become operational immediately. The urgency of the staffing needs does not permit use of normal appointment procedures.

When the authority was originally established there was no need to include positions above GS-15, because the executive assignments system covered positions at grades GS-16, 17 and 18. Under this system positions could be filled noncompetitively in the competitive service by limited executive assignments. Agencies used this authority to appoint individuals to temporary organizations.

The Federal Employees Pay Comparability Act of 1990 abolished grades GS-16, 17, and 18, and the executive assignment system, and established the Senior Level system. Unlike the executive assignment system, the Senior Level system does not provide for noncompetitive time-limited appointments. Agencies, therefore, have no mechanism to staff temporary organizations quickly with individuals above the GS-15 level. Removal of the GS-15 limit would restore to agencies the staffing flexibility they had prior to 1990.

Regulatory Flexibility Act

I certify that these regulations will not have a significant economic impact on a substantial number of small entities (including small businesses, small organizational units, and small governmental jurisdictions) because the regulations apply only to appointment procedures used to appoint certain employees in Federal agencies.

Executive Order 12866, Regulatory Review

This rule has been reviewed by the Office of Management and Budget in accordance with Executive Order 12866.

List of Subjects in 5 CFR Part 213

Government employees, Reporting and recordkeeping requirements.

U.S. Office of Personnel Management.

James B. King,

Director.

Accordingly, OPM proposes to amend 5 CFR part 213 as follows:

1. The authority citation for part 213 continues to read as follows:

Authority: 5 U.S.C. 3301 and 3302, E.O. 10577, 3 CFR 1954-1958 Comp., p. 218; § 213.101 also issued under 5 U.S.C. 2103; § 213.3102 also issued under 5 U.S.C. 3301,

3302, 3307, 8337(h) and 8456; E.O. 12364, 47 FR 22931, 3 CFR 1982 Comp., p. 185; and Pub. L. 103-353.

2. In § 213.3199, the first sentence of paragraph (a) and the introductory text in paragraph (b) are revised to read as follows:

§ 213.3199 Temporary organizations.

(a) Positions on the staffs of temporary boards and commissions which are established by law or Executive order for specified periods not to exceed 4 years to perform specific projects. * * *

(b) Positions on the staffs of temporary organizations within continuing agencies when all of the following conditions are met: * * *

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[FR Doc. 96-30596 Filed 11-29-96; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-CE-89-AD]

RIN 2120-AA64

Airworthiness Directives; Raytheon Aircraft Company (Formerly Beech Aircraft Corporation) Model 58P and 58PA Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Supplemental notice of proposed rulemaking (NPRM); Reopening of the comment period.

SUMMARY: This document proposes to revise an earlier proposed airworthiness directive (AD) that would have required the following on Raytheon Aircraft Company (formerly Beech Aircraft Corporation) Model 58P and 58PA airplanes: inspecting for cracks and missing rivets in the cabin structure (longeron) adjacent to and aft of the second right-hand (RH) cabin window, and repairing any cracked structure and installing rivets, if missing. The Federal Aviation Administration (FAA) has received several reports of airplanes with cracks in the cabin structure which are also missing rivets that should have been installed in the cabin structure to secure the frame, splice, and longeron together. The missing rivets could lead to cabin structure cracks, and therefore