

year period needed for noncompetitive conversion.

OPM's Guide to Personnel Data Standards and The Guide to Processing Personnel Actions will be updated to reflect the new changes. These Guides are available on OPM's website, [www.opm.gov](http://www.opm.gov).

### 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 for certain employees in Federal agencies.

### E.O. 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 Parts 3, 213, and 315

Government employees.

Office of Personnel Management.

Janice R. Lachance,  
Director.

Accordingly, OPM is amending parts 3, 213, and 315 of title 5, Code of Federal Regulations, as follows:

### PART 3—NONCOMPETITIVE ACQUISITION OF STATUS (RULE III)

1. The authority citation for part 3 continues to read as follows:

**Authority:** 5 U.S.C. 3301, 3302.

2. In § 3.1, paragraph (b)(3) is added to read as follows:

#### § 3.1 Classes of persons who may noncompetitively acquire status.

\* \* \* \* \*

(b) \* \* \*

(3) An employee with a psychiatric disability who completes at least 2 years of satisfactory service in a position excepted from the competitive service.

### PART 213—EXCEPTED SERVICE

3. 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; 38 U.S.C. 4301 *et seq.*, and Pub. L. 105–339.

4. In § 213.3102, paragraph (h) is removed and reserved. Paragraph (gg) is added to read as follows:

#### § 213.3102 Entire executive civil service.

\* \* \* \* \*

(gg) Positions when filled by persons with psychiatric disabilities who have demonstrated their ability to perform satisfactorily under a temporary appointment [such as one authorized in 213.3102(i)(3)] or who are certified as likely to be able to perform the essential functions of the job, with or without reasonable accommodation, by a State vocational rehabilitation counselor, a U.S. Department of Veterans Affairs Veterans Benefits Administration or Veterans Health Administration psychologist, vocational rehabilitation counselor, or psychiatrist. Upon completion of 2 years of satisfactory service under this authority, the employee can be converted, at the discretion of the agency, to competitive status under the provisions of Executive Order 12125 as amended by Executive Order 13124.

\* \* \* \* \*

5. In § 213.3202, paragraph (k) is removed and reserved.

### PART 315—CAREER AND CAREER-CONDITIONAL EMPLOYMENT

6. The authority citation for part 315 continues to read as follows:

**Authority:** 5 U.S.C. 1302, 3301, 3302; E.O. 10577, 3 CFR 1954–1958 Comp., p. 218, unless otherwise noted.

Secs. 315.601 and 315.609 also issued under 22 U.S.C. 3651 and 3652.

Secs. 315.602 and 315.604 also issued under 5 U.S.C. 1104.

Sec. 315.603 also issued under 5 U.S.C. 8151.

Sec. 315.605 also issued under E.O. 12034, 3 CFR, 1978 Comp., p. 111.

Sec. 315.606 also issued under E.O. 11219, 3 CFR, 1964–1965 Comp., p. 303.

Sec. 315.607 also issued under 22 U.S.C. 2506.

Sec. 315.608 also issued under E.O. 12721, 3 CFR, 1990 Comp., p. 293.

Sec. 315.610 also issued under 5 U.S.C. 3304(d).

Sec. 315.611 also issued under Section 511, Pub. L. 106–117.

Sec. 315.710 also issued under E.O. 12596, 3 CFR, 1987 Comp., p. 229.

Subpart I also issued under 5 U.S.C. 3321, E.O. 12107, 3 CFR, 1978 Comp., p. 264.

7. Section 315.709 is amended by revising the section heading, the introductory text of paragraph (a), and paragraphs (a)(1), and (b)(2) to read as follows:

#### § 315.709 Employees who are mentally retarded, severely physically handicapped, or have psychiatric disabilities serving under Schedule A appointments.

(a) *Coverage.* Employees appointed under §§ 213.3102(t), (u), and (gg) of this chapter may have their appointments converted to career or career-conditional appointments when they:

(1) Complete 2 or more years of satisfactory service, without a break of more than 30 days, under nontemporary Schedule A appointments.

\* \* \* \* \*

(b) \* \* \*

(2) A career employee if he or she has completed 3 years of substantially continuous service in nontemporary appointments under §§ 213.3102(t), (u), or (gg) of this chapter, or has otherwise completed the service requirement for career tenure, or is excepted from it by § 315.201(c).

\* \* \* \* \*

[FR Doc. 00–17125 Filed 7–3–00; 11:20 am]

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### OFFICE OF PERSONNEL MANAGEMENT

#### 5 CFR Part 550

RIN 3206–AI78

#### Payments During Evacuation

**AGENCY:** Office of Personnel Management.

**ACTION:** Final rule.

**SUMMARY:** The Office of Personnel Management (OPM) is issuing final regulations to raise the age requirement for payment of the maximum per diem rate for a dependent of an evacuated civilian employee from age 11 to age 12. This applies to evacuations in the United States because of natural disasters or for military or other reasons that create an imminent danger to life. This final rule makes OPM's regulations consistent with Department of Defense (DOD) evacuation regulations, which require that an evacuated dependent of a uniformed member be 12 years of age or older to receive the maximum per diem rate.

**DATES:** *Effective Date:* The regulations are effective and applicable on August 7, 2000.

**FOR FURTHER INFORMATION CONTACT:** Roger Knadle, (202) 606–2858, FAX: (202) 606–0824, or email at [payleave@opm.gov](mailto:payleave@opm.gov).

**SUPPLEMENTARY INFORMATION:** Office of Personnel Management (OPM) regulations on payments during evacuation are found in subpart D of 5

CFR part 550. The regulations are based on provisions of law in 5 U.S.C. 5522–5524, 5526, and 5527, and on authority in Executive Order 10982, 3 CFR 1959–1963, p. 502. Federal agencies make evacuation payments under these authorities to employees and/or their dependents who are ordered to be evacuated because of natural disasters or for military or other reasons that create imminent danger to the lives of the employees or their dependents.

On December 15, 1999, OPM published proposed changes in the evacuation pay regulations in the **Federal Register** (64 FR 69936), as requested by the Department of Defense (DOD). We proposed to increase the age requirement for payment of the maximum per diem rate for dependents of evacuated civilian employees from age 11 to age 12. We also proposed to compute the maximum per diem rate by using the “lodgings-plus per diem system,” as defined in section 300–3.1 of the Federal Travel Regulation.

The **Federal Register** notice provided that OPM must receive comments on the proposed regulations within 30 days, or by January 14, 2000. We received no comments on the proposed regulations. Therefore, we are adopting the proposed regulations as final without any substantive changes.

#### E.O. 12866, Regulatory Review

The Office of Management and Budget has reviewed this rule in accordance with E.O. 12866.

#### Regulatory Flexibility Act

I certify that these regulations will not have a significant impact on a substantial number of small entities because they will apply only to Federal agencies and employees.

#### List of Subjects in 5 CFR Part 550

Administrative practice and procedure, Claims, Government employees, Wages.

U.S. Office of Personnel Management

Janice R. Lachance,  
Director.

Accordingly, OPM is amending subpart D of part 550 of title 5 of the Code of Federal Regulations as follows:

#### PART 550—PAY ADMINISTRATION (GENERAL)

##### Subpart D—Payments During Evacuation

1. The authority citation for subpart D of part 550 is revised to read as follows:

**Authority:** 5 U.S.C. 5527; E.O. 10982, 3 CFR 1959–1963, p. 502.

2. In § 550.401, paragraph (a) is revised to read as follows:

##### **§ 550.401 Purpose, applicability, authority, and administration.**

(a) *Purpose.* This subpart provides regulations to administer subchapter III (except sections 5524a and 5525) of chapter 55 of title 5, United States Code. The regulations provide for Governmentwide uniformity in making payments during an evacuation to employees or their dependents, or both, who are evacuated in the United States because of natural disasters or for military or other reasons that create imminent danger to their lives.

\* \* \* \* \*

3. In § 550.402, the definition of *United States area* is removed, and a new definition of *United States* is added in alphabetical order to read as follows:

##### **§ 550.402 Definitions.**

\* \* \* \* \*

*United States* means the 50 States, the District of Columbia, the Commonwealths of Puerto Rico and the Northern Mariana Islands, and any territory or possession of the United States.

4. In § 550.405, paragraphs (a) and (b)(1) are revised to read as follows:

##### **§ 550.405 Determination of special allowances.**

\* \* \* \* \*

(a) An agency must determine the travel expenses and per diem for an evacuated employee and the travel expenses for his or her dependents in accordance with the Federal Travel Regulation (FTR) and any applicable implementing agency regulations, whether or not the employee or dependents are actually covered by or subject to the FTR. In addition, an agency may authorize per diem for dependents of an evacuated employee at a rate equal to the rate payable to the employee, as determined in accordance with the FTR (except that the rate for dependents under 12 years of age is one-half this rate), whether or not the employee or dependents are actually covered by or subject to the FTR. Per diem for an employee and his or her dependents is payable from the date of departure from the evacuated area through the date of arrival at the safe haven, including any period of delay en route that is beyond an evacuee's control or that may result from evacuation travel arrangements.

(b) \* \* \*

(1) An agency must compute the applicable maximum per diem rate by using the “lodgings-plus per diem system,” as defined in the FTR, for the

employee and each dependent who is 12 years of age or over. For each dependent under 12 years of age, the per diem rate is one-half of the applicable maximum per diem rate for employees and dependents who are 12 years of age or over. An agency may pay these maximum rates for a period not to exceed the first 30 days of evacuation.

\* \* \* \* \*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99–NM–338–AD; Amendment 39–11809; AD 2000–09–01 R1]

RIN 2120–AA64

#### **Airworthiness Directives; McDonnell Douglas Model DC–8 Series Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects and clarifies information in an existing airworthiness directive (AD) that applies to certain McDonnell Douglas Model DC–8 series airplanes. That AD currently requires a revision to the Airplane Flight Manual Supplement to ensure that the main deck cargo door is closed, latched, and locked; repetitive inspections of the wire bundle and door latch rollers to detect damage; and repair or replacement of damaged components. That AD also requires, among other actions, modification of the indication and hydraulic systems of the main deck cargo door, and installation of a means to prevent pressurization to an unsafe level if the main deck cargo door is not closed, latched, and locked. This document corrects two errors that resulted in the incorrect references of two paragraphs. This correction is necessary to prevent opening of the cargo door while the airplane is in flight, and consequent rapid decompression of the airplane including possible loss of the door, flight control, or severe structural damage.

**DATES:** Effective June 7, 2000.

The incorporation by reference of National Aircraft Service, Inc. (NASI) Service Bulletin SB–99–01, Revision A, dated October 15, 1999, as listed in the regulations, was approved previously by the Director of the Federal Register as of June 7, 2000 (65 FR 25627, May 3, 2000).