

<http://www.regulations.gov> Web site can be viewed by other commenters and interested members of the public. Commenters should follow the instructions provided on that site to submit comments electronically.

**Note:** To receive consideration as public comments, comments must be submitted through one of the three methods specified above. Again, all submissions must refer to the docket number and title of the rule. *No Facsimile Comments.* Facsimile (FAX) comments are not acceptable.

**Public Inspection of Public Comments.** All properly submitted comments and communications submitted to HUD will be available for public inspection and copying between 8 a.m. and 5 p.m. weekdays at the above address. Due to security measures at the HUD Headquarters building, an advance appointment to review the public comments must be scheduled by calling the Regulations Division at 202-708-3055 (this is not a toll-free number). Individuals with speech or hearing impairments may access this number via TTY by calling the Federal Information Relay Service at 800-877-8339. Copies of all comments submitted are available for inspection and downloading at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Camille E. Acevedo, Associate General Counsel for Legislation and Regulations, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street, SW., Room 10282, Washington, DC 20410; telephone number 202-708-1793 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Information Relay Service at 800-877-8339.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

On January 18, 2011, President Obama issued Executive Order 13563, "Improving Regulation and Regulatory Review."<sup>1</sup> The Executive Order requires Federal agencies to seek more affordable, less intrusive ways to achieve policy goals and give careful consideration to the benefits and costs of those regulations. The Executive Order recognizes that these principles should not only guide the Federal government's approach to new regulations, but to existing ones as well. To that end, agencies are required to review existing significant regulations to determine if they are outmoded,

ineffective, insufficient or excessively burdensome. Executive Order 13563 also required that, by May 18, 2011, each agency develop and submit to the Office of Management and Budget's Office of Information and Regulatory Affairs a preliminary plan for periodically reviewing existing significant regulations to determine whether they should be modified, streamlined, expanded, or repealed so as to make the agency's regulatory program more effective or less burdensome in achieving regulatory objectives.

On March 2, 2011, at 76 FR 11395, HUD published a notice in the **Federal Register** inviting public comments, with a comment deadline of May 2, 2011, to assist in the development of the plan required by the Executive Order and in identifying specific current regulations that should be the subject of HUD review. HUD received 42 public comments from nonprofit advocacy groups, private industry groups, housing authorities, and private individuals, amounting to more than 300 specific suggestions.

The preliminary regulatory review plans of the Federal agencies have been posted on the White House Web site at: <http://www.slideshare.net/whitehouse/hud-combined>. The appendix to HUD's plan identifies the initial set of HUD regulatory actions being taken in response to Executive Order 13563. HUD carefully considered the comments received in response to the March 2, 2011, notice in development of its preliminary plan.

Through this notice, HUD solicits public comment on the Department's preliminary plan and list of candidate rules. All comments will be considered in the development of HUD's final plan.

Dated: May 26, 2011.

**Camille E. Acevedo,**

*Associate General Counsel for Legislation and Regulations.*

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**BILLING CODE 4210-67-P**

#### **OFFICE OF PERSONNEL MANAGEMENT**

##### **5 CFR Part 532**

**RIN 3206-AM37**

#### **Prevailing Rate Systems; Redefinition of the Northern Mississippi and Memphis, TN, Appropriated Fund Federal Wage System Wage Areas**

**AGENCY:** U.S. Office of Personnel Management.

**ACTION:** Proposed rule with request for comments.

**SUMMARY:** The U.S. Office of Personnel Management is issuing a proposed rule that would redefine the geographic boundaries of the Northern Mississippi and Memphis, Tennessee, appropriated fund Federal Wage System (FWS) wage areas. The proposed rule would redefine Panola County, MS, from the Northern Mississippi wage area to the Memphis wage area. This change is based on a consensus recommendation of the Federal Prevailing Rate Advisory Committee (FPRAC) to best match the county proposed for redefinition to a nearby FWS survey area. FPRAC did not recommend other changes for the Northern Mississippi and Memphis FWS wage areas at this time.

**DATES:** We must receive comments on or before July 5, 2011.

**ADDRESSES:** Send or deliver comments to Jerome D. Mikowicz, Deputy Associate Director for Pay and Leave, Employee Services, U.S. Office of Personnel Management, Room 7H31, 1900 E Street, NW., Washington, DC 20415-8200; e-mail [pay-leave-policy@opm.gov](mailto:pay-leave-policy@opm.gov); or FAX: (202) 606-4264.

**FOR FURTHER INFORMATION CONTACT:** Madeline Gonzalez, (202) 606-2838; e-mail [pay-leave-policy@opm.gov](mailto:pay-leave-policy@opm.gov); or FAX: (202) 606-4264.

**SUPPLEMENTARY INFORMATION:** The U.S. Office of Personnel Management (OPM) is issuing a proposed rule to redefine the Northern Mississippi and Memphis, TN, appropriated fund Federal Wage System (FWS) wage areas. This proposed rule would redefine Panola County, MS, from the Northern Mississippi wage area to the Memphis wage area.

OPM considers the following regulatory criteria under 5 CFR 532.211 when defining FWS wage area boundaries:

- (i) Distance, transportation facilities, and geographic features;
- (ii) Commuting patterns; and
- (iii) Similarities in overall population, employment, and the kinds and sizes of private industrial establishments.

Panola County is currently defined to the Northern Mississippi area of application in appendix C to subpart B of part 532. Based on our analysis of the regulatory criteria for defining appropriated fund FWS wage areas, we find that Panola County would now be more appropriately defined as part of the Memphis area of application. Distance and commuting patterns criteria for Panola County clearly favor the Memphis wage area. Transportation

<sup>1</sup> The Executive Order was subsequently published in the **Federal Register** on January 21, 2011, at 76 FR 3821.

facilities and geographic features criteria favor the Memphis wage area because Interstate Highway 55 provides direct access from Panola County to the Memphis survey area while access to the major cities in the Northern Mississippi survey area (Columbus, Greenwood, and Tupelo) is mainly by secondary and multilane divided highways. Similarities in overall population, total private sector employment, and kinds and sizes of private industrial establishments favor the Northern Mississippi wage area. Based on this analysis, we recommend that Panola County be redefined to the Memphis wage area.

The Federal Prevailing Rate Advisory Committee (FPRAC), the national labor-management committee responsible for advising OPM on matters concerning the pay of FWS employees, recommended this change by consensus. This change would be effective on the first day of the first applicable pay period for FWS employees in Panola County beginning on or after 30 days following publication of final regulations. FPRAC did not recommend other changes in the geographic definitions of the Northern Mississippi and Memphis wage areas at this time.

### Regulatory Flexibility Act

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

### List of Subjects in 5 CFR Part 532

Administrative practice and procedure, Freedom of information, Government employees, Reporting and recordkeeping requirements, Wages.

U.S. Office of Personnel Management.

**John Berry,**  
*Director.*

Accordingly, the U.S. Office of Personnel Management is proposing to amend 5 CFR part 532 as follows:

### PART 532—PREVAILING RATE SYSTEMS

1. The authority citation for part 532 continues to read as follows:

**Authority:** 5 U.S.C. 5343, 5346; § 532.707 also issued under 5 U.S.C. 552.

### Appendix C to Subpart B of Part 532—Appropriated Fund Wage and Survey Areas

2. Appendix C to subpart B is amended by revising the wage area listings for the Northern Mississippi and

Memphis, TN, wage areas to read as follows:

\* \* \* \* \*

#### MISSISSIPPI

\* \* \* \* \*

#### Northern Mississippi

##### Survey Area

Mississippi:

Clay  
Grenada  
Lee  
Leflore  
Lowndes  
Monroe  
Oktibbeha

##### Area of Application. Survey area plus:

Mississippi:

Alcorn  
Bolivar  
Calhoun  
Carroll  
Chickasaw  
Choctaw  
Coahoma  
Itawamba  
Lafayette (Does not include the Holly Springs National Forest portion)  
Montgomery  
Noxubee  
Pontotoc (Does not include the Holly Springs National Forest portion)  
Prentiss  
Quitman  
Sunflower  
Tallahatchie  
Tishomingo  
Union (Does not include the Holly Springs National Forest portion)  
Washington  
Webster  
Winston  
Yalobusha

\* \* \* \* \*

#### TENNESSEE

\* \* \* \* \*

#### Memphis

##### Survey Area

Arkansas:  
Crittenden  
Mississippi  
Mississippi:  
De Soto  
Tennessee:  
Shelby  
Tipton

##### Area of Application. Survey area plus:

Arkansas:  
Craighead  
Cross  
Lee  
Poinsett  
St. Francis  
Mississippi:  
Benton  
Lafayette (Holly Springs National Forest portion only)  
Marshall  
Panola

Pontotoc (Holly Springs National Forest portion only)

Tate  
Tippah  
Tunica  
Union (Holly Springs National Forest portion only)

Missouri:

Dunklin  
Pemiscot

Tennessee:

Carroll  
Chester  
Crockett  
Dyer  
Fayette  
Gibson  
Hardeman  
Hardin  
Haywood  
Lake  
Lauderdale  
Madison  
McNairy  
Obion

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### OFFICE OF PERSONNEL MANAGEMENT

### 5 CFR Chapters I and XXXV

### 45 CFR Chapter VIII

### 48 CFR Chapters 16, 17, and 21

### Reducing Regulatory Burden; Retrospective Review Under E.O. 13563

**AGENCY:** Office of Personnel Management.

**ACTION:** Request for information.

**SUMMARY:** The Office of Personnel Management has posted on its public open government Web site a preliminary plan for retrospective review of its existing regulations. OPM prepared this plan in compliance with Executive Order 13563, Improving Regulation and Regulatory Review, issued January 18, 2011. The Executive Order outlines the President's plan to create a 21st-century regulatory system that is simpler and smarter and that protects the interests of the American people in a pragmatic and cost-effective way.

**DATES:** The deadline for submitting comments is July 1, 2011.

**ADDRESSES:** The public is encouraged to submit comments through OPM's public Web site (<http://www.opm.gov/open>).

**FOR FURTHER INFORMATION CONTACT:** Mauro Morales, Policy Counsel, Office of Personnel Management, 1900 E Street NW., Room 1342, Washington, DC