

Rules and Regulations

Federal Register

Vol. 84, No. 185

Tuesday, September 24, 2019

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 532

RIN 3206-AN85

Prevailing Rate Systems; Redefinition of Certain Nonappropriated Fund Federal Wage System Wage Areas

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: This rule amends the geographic boundaries of several nonappropriated fund (NAF) Federal Wage System (FWS) wage areas. Based on consensus recommendations of the Federal Prevailing Rate Advisory Committee (FPRAC), the Office of Personnel Management (OPM) is defining St. Joseph County, Indiana, as an area of application county to the Lake, Illinois, NAF FWS wage area; Greene County, Missouri, as an area of application county to the Leavenworth-Jackson-Johnson, Kansas, NAF FWS wage area; Lucas County, Ohio, as an area of application county to the Macomb, Michigan, NAF FWS wage area; and the municipality of Mayaguez, Puerto Rico, as an area of application municipality to the Guaynabo-San Juan, PR, NAF FWS wage area. These changes are necessary because NAF FWS employees are now working in these locations, but the locations are not currently defined to NAF wage areas. In addition, OPM is removing the municipalities of Ceiba, Isabela, Toa Baja, and Vieques, PR, and the U.S. Virgin Islands of St. Croix and St. Thomas, from the wage area definition of the Guaynabo-San Juan NAF wage area because there are no longer NAF FWS employees working in these locations.

DATES: Effective October 24, 2019.

FOR FURTHER INFORMATION CONTACT: Madeline Gonzalez, by telephone at

(202) 606-2838 or by email at *pay-leave-policy@opm.gov*.

SUPPLEMENTARY INFORMATION: On June 10, 2019, OPM issued a proposed rule (84 FR 26767) to define—

- St. Joseph County, IN, as an area of application county to the Lake, IL, NAF FWS wage area;
- Greene County, MO, as an area of application county to the Leavenworth-Jackson-Johnson, KS, NAF FWS wage area;
- Lucas County, OH, as an area of application county to the Macomb, MI, NAF FWS wage area; and
- Municipality of Mayaguez, PR, as an area of application municipality to the Guaynabo-San Juan, PR, NAF FWS wage area.

In addition, the proposed rule removed the municipalities of Ceiba, Isabela, Toa Baja, and Vieques, PR, and the U.S. Virgin Islands of St. Croix and St. Thomas, from the wage area definition of the Guaynabo-San Juan, PR, NAF FWS wage.

FPRAC, the national labor-management committee responsible for advising OPM on matters concerning the pay of FWS employees, reviewed and recommended these changes by consensus. These changes will apply on the first day of the first applicable pay period beginning on or after 30 days following publication of the final regulations.

The 30-day comment period ended on July 10, 2019. OPM received one comment in support of the proposal to redefine Lucas County, OH, to the Macomb, MI, wage area.

Regulatory Impact Analysis

This action is not a “significant regulatory action” under the terms of Executive Order (E.O.) 12866 (58 FR 51735, October 4, 1993) and is therefore not subject to review under E.O. 12866 and 13563 (76 FR 3821, January 21, 2011).

Reducing Regulation and Controlling Regulatory Costs

This rule is not an Executive Order 13771 regulatory action because this rule is not significant under E.O. 12866.

Regulatory Flexibility Act

OPM certifies that this rule will not have a significant economic impact on a substantial number of small entities because they will affect only Federal agencies and employees.

Federalism

We have examined this rule in accordance with Executive Order 13132, Federalism, and have determined that this rule will not have any negative impact on the rights, roles and responsibilities of State, local, or tribal governments.

Civil Justice Reform

This regulation meets the applicable standard set forth in Executive Order 12988.

Unfunded Mandates Act of 1995

This rule will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any year and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Congressional Review Act

This action pertains to agency management, personnel, and organization and does not substantially affect the rights or obligations of nonagency parties and, accordingly, is not a “rule” as that term is used by the Congressional Review Act (Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA)). Therefore, the reporting requirement of 5 U.S.C. 801 does not apply.

Paperwork Reduction Act

This rule does not impose any new reporting or record-keeping requirements subject to the Paperwork Reduction Act.

List of Subjects in 5 CFR Part 532

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

Office of Personnel Management.

Stephen Hickman,

Federal Register Liaison.

Accordingly, OPM amends 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.

■ 2. In appendix D to subpart B, amend the table by revising the wage area listing for the States of Illinois, Kansas, and Michigan and the Commonwealth of Puerto Rico to read as follows:

**Appendix D to Subpart B of Part 532—
Nonappropriated Fund Wage and
Survey Areas**

* * * * *

**Definitions of Wage Areas and Wage Area
Survey Areas**

* * * * *
**ILLINOIS
LAKE**
Survey Area

Illinois:
Lake
Area of Application. Survey area.

Illinois:
Cook
Rock Island
Vermilion

Indiana:
St. Joseph

Iowa:
Johnson
Michigan:
Dickinson
Marquette

Wisconsin:
Brown
Dane
Milwaukee

St. Clair
Survey Area

Illinois:
St. Clair
Area of Application. Survey area plus:

Illinois:
Madison
Williamson

Indiana:
Vanderburgh
Missouri: (city)
St. Louis

Missouri: (counties)
Jefferson
Pulaski

**KANSAS
Leaven-Worth-Jackson-Johnson**
Survey Area

Kansas:
Leavenworth
Missouri:
Jackson
Johnson

Area of Application. Survey area.

Kansas:
Shawnee
Missouri:
Boone
Camden
Cass
Greene

Sedgwick
Survey Area

Kansas:
Sedgwick

Area of Application. Survey area.
Kansas:
Geary
Saline

* * * * *
**MICHIGAN
Macomb**
Survey Area

Michigan:
Macomb

Area of Application. Survey area.

Michigan:
Alpena
Calhoun
Crawford
Grand Traverse
Huron
Iosco
Kent
Leelanau
Ottawa
Saginaw
Washtenaw
Wayne

Ohio:
Lucas
Ottawa

* * * * *
**PUERTO RICO
Guaynabo-San Juan**
Survey Area

Puerto Rico:
Guaynabo
San Juan

Area of Application. Survey area.

Puerto Rico:
Aguadilla
Bayamon
Mayaguez
Ponce
Salinas

* * * * *

[FR Doc. 2019–20144 Filed 9–23–19; 8:45 am]

BILLING CODE 6325–39–P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1208

[Document Number AMS–SC–19–0047]

**Processed Raspberry Promotion,
Research, and Information Order;
Termination**

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule; termination order.

SUMMARY: This final rule terminates the Processed Raspberry Promotion, Research, and Information Order (Order) in its entirety. This action is necessary because termination of the Order was favored by a majority of the eligible producers and importers voting in a referendum conducted from September 10 through October 5, 2018.

DATES: *Effective Date:* September 25, 2019.

FOR FURTHER INFORMATION CONTACT:

Patricia Petrella, Deputy Director, Promotion and Economics Division, Specialty Crop Program, AMS, USDA, 1400 Independence Avenue SW, Stop 0244, Room 1406–S, Washington, DC 20250–0244, telephone (202)720–9915, facsimile (202) 205–2800, or electronic mail: Patricia.Petrella@usda.gov.

SUPPLEMENTARY INFORMATION: This final rule affecting 7 CFR part 1208 is authorized under the Commodity Promotion, Research, and Information Act of 1996 (1996 Act) (7 U.S.C. 7411–7425). The Processed Raspberry Promotion, Research, and Information Order, referred to herein as the “Order”, is codified at 7 CFR part 1208.

Prior documents in this proceeding: Termination of Assessments, February 20, 2019 [84 FR 4951], Continuance Referendum, July 25, 2018 [83 FR 35153]; Processed Raspberry Promotion, Research, and Information Order, May 8, 2012 [77 FR 26911]; and Referendum Procedures, February 8, 2010 [75 FR 6089].

Executive Orders 12866, 13563, and 13771

Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules and promoting flexibility. This final rule falls within a category of regulatory actions that the Office of Management and Budget (OMB) exempted from Executive Order 12866 review. Additionally, because this rule does not meet the definition of a significant regulatory action it does not trigger the requirements contained in Executive Order 13771. See OMB’s Memorandum titled “Interim Guidance Implementing Section 2 of the Executive Order of January 30, 2017, titled ‘Reducing Regulation and Controlling Regulatory Costs’” (February 2, 2017).

Executive Order 13175

This final rule has been reviewed in accordance with the requirements of Executive Order 13175, Consultation and Coordination with Indian Tribal Governments. The review reveals that this rule will not have substantial and direct effects on Tribal governments and