

# Rules and Regulations

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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.

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## OFFICE OF PERSONNEL MANAGEMENT

### 5 CFR Part 532

RIN 3206—AM38

#### Prevailing Rate Systems; Abolishment of Cumberland, ME, as a Nonappropriated Fund Federal Wage System Wage Area

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

**ACTION:** Final rule.

**SUMMARY:** The U.S. Office of Personnel Management is issuing a final rule to abolish the Cumberland, Maine, nonappropriated fund (NAF) Federal Wage System (FWS) wage area and redefine Cumberland, Kennebec, and Penobscot Counties, ME, to the York, ME, NAF wage area. Aroostook, Hancock, Knox, Sagadahoc, and Washington Counties, ME, will no longer be defined. These changes are necessary because the closure of the Naval Air Station Brunswick left the Cumberland wage area without an activity having the capability to conduct a local wage survey.

**DATES:** *Effective date:* This regulation is effective on November 14, 2011.

*Applicability date:* This regulation applies on the first day of the first applicable pay period beginning on or after July 25, 2011.

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

**SUPPLEMENTARY INFORMATION:** On June 2, 2011, the U.S. Office of Personnel Management (OPM) issued an interim rule (76 FR 31785) to abolish the Cumberland, Maine, nonappropriated fund (NAF) Federal Wage System (FWS) wage area and redefine Cumberland, Kennebec, and Penobscot Counties, ME, to the York, ME, NAF wage area. The

Federal Prevailing Rate Advisory Committee, the national labor-management committee responsible for advising OPM on matters concerning the pay of FWS employees, reviewed and recommended these changes by consensus. The interim rule had a 30-day comment period, during which OPM received no comments.

#### Regulatory Flexibility Act

I certify that these regulations will not have a significant economic impact on a substantial number of small entities because they will 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, under the authority of 5 U.S.C. 5343, the interim rule published on June 2, 2011, amending 5 CFR part 532 (76 FR 31785) is adopted as final with no changes.

[FR Doc. 2011-29349 Filed 11-10-11; 8:45 am]

**BILLING CODE** 6325-39-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:** Final rule.

**SUMMARY:** The U.S. Office of Personnel Management is issuing a final rule to redefine the geographic boundaries of the Northern Mississippi and Memphis, Tennessee, appropriated fund Federal Wage System (FWS) wage areas. The final rule redefines 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 Panola County 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:** This regulation is effective on December 14, 2011.

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

**SUPPLEMENTARY INFORMATION:** On June 2, 2011, the U.S. Office of Personnel Management (OPM) issued a proposed rule (76 FR 31885) to redefine Panola County, MS, from the Northern Mississippi wage area to the Memphis, TN, wage area. The proposed rule had a 30-day comment period during which OPM received no comments.

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. FPRAC recommended no other changes in the geographic definitions of the Northern Mississippi and Memphis wage areas.

#### CFR Correction

In addition, this final rule corrects the name of the Southern Colorado wage area in Appendix C to subpart B of part 532—Appropriated Fund Wage and Survey Areas, which was incorrectly entered as Southwestern Colorado in a final rule issued on July 22, 2011 (76 FR 43803).

#### Regulatory Flexibility Act

I certify that these regulations will not have a significant economic impact on a substantial number of small entities because they will 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 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.

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

■ 2. Appendix C to subpart B is amended as follows:

■ a. By removing, under the State of Colorado, “Southwestern Colorado” and adding in its place “Southern Colorado.”

■ b. 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

\* \* \* \* \*

[FR Doc. 2011–29277 Filed 11–10–11; 8:45 am]

**BILLING CODE 6325–39–P**

**FEDERAL ELECTION COMMISSION**

**5 CFR Chapter XXXVII**

**11 CFR Parts 7 and 201**

**[Notice 2011–16]**

**RIN 3209–AA15**

**Standards of Conduct**

**AGENCY:** Federal Election Commission.

**ACTION:** Final rules.

**SUMMARY:** The Federal Election Commission (“Commission” or “FEC”), with the concurrence of the Office of Government Ethics (“OGE”), is revising the Commission’s “Standards of Conduct,” which are the FEC rules that govern the conduct of Commissioners and Commission employees. The new rules update the Commission’s regulations to reflect statutory changes

enacted after the Standards of Conduct were originally promulgated in 1986, and to conform them to regulations issued by OGE and the Office of Personnel Management (“OPM”). In addition to the revisions to the FEC’s Standards of Conduct, the Commission, with OGE’s concurrence, is issuing regulations that supplement the Standards of Ethical Conduct for Employees of the Executive Branch issued by OGE. These supplemental regulations address outside employment of Commissioners and Commission employees. The new rules are unchanged from the rules presented in the Notice of Proposed Rulemaking.

**DATES:** *Effective Date:* December 14, 2011.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert M. Knop, Assistant General Counsel, or Mr. Anthony T. Buckley, Attorney, 999 E Street NW., Washington, DC 20463, (202) 694–1650 or (800) 424–9530.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Ethics Reform Act of 1989<sup>1</sup> includes restrictions on gifts, travel, outside activities, and outside employment. See Public Law No. 101–194, tit. III and VI, 103 Stat. 1716 (1989). It authorizes the Office of Government Ethics (“OGE”) to implement regulations concerning the conduct of executive branch employees. See 5 U.S.C. 7351(c). OGE issued a final rule setting forth uniform standards of ethical conduct and an interim final rule on financial disclosure in 1992, followed by a final rule on financial interests in 1996. These rules apply to all executive branch departments and agencies of the Federal Government and their employees. These three executive branch-wide regulations, as corrected and amended, are codified at 5 CFR parts 2634, 2635, and 2640.<sup>2</sup> The Federal Election Campaign Act of 1971, as amended, 2 U.S.C. 431 *et seq.* (“the Act”), in part, restricts the activities of members of the Federal Election Commission and the Commission’s

<sup>1</sup> Public Law 101–194, 103 Stat. 1716 (1989).

<sup>2</sup> Shortly before Congress passed the Ethics Reform Act of 1989, the President issued Executive Order 12674, which sets forth basic principles of ethical conduct for Federal employees and requires OGE to promulgate “regulations that establish a single, comprehensive, and clear set of executive-branch standards of conduct.” E.O. 12674, 54 FR 15159, 15160 (Apr. 12, 1989). This Executive Order was later modified. E.O. 12731, 55 FR 42547 (Oct. 17, 1990). OGE’s regulations also implement Executive Order 12674, as modified by Executive Order 12731.