

# 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 532

RIN 3206-AN87

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

**AGENCY:** Office of Personnel Management.

**ACTION:** Proposed rule.

**SUMMARY:** The Office of Personnel Management (OPM) is issuing a proposed rule that would redefine the geographic boundaries of several appropriated fund Federal Wage System (FWS) wage areas for pay-setting purposes. Based on recent reviews of Metropolitan Statistical Area (MSA) boundaries in a number of wage areas, OPM proposes redefinitions affecting the following wage areas: Washington, DC; Hagerstown-Martinsburg-Chambersburg, MD; Detroit, MI; Jackson, MS; Meridian, MS; and Cleveland, OH.

**DATES:** Send comments on or before September 13, 2019.

**ADDRESSES:** You may submit comments, identified by docket number and/or Regulatory Information Number (RIN) and title, by the following method:

- *Federal Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

All submissions received must include the agency name and docket number or RIN for this document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

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

**SUPPLEMENTARY INFORMATION:** OPM is issuing a proposed rule to redefine the geographic boundaries of several appropriated fund FWS wage areas. These changes are based on recommendations of the Federal Prevailing Rate Advisory Committee (FPRAC), the statutory national labor-management committee responsible for advising OPM on matters affecting the pay of FWS employees. From time to time, FPRAC reviews the boundaries of wage areas and provides OPM with recommendations for changes if the Committee finds that changes are warranted.

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

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

In addition, OPM regulations at 5 CFR 532.211 do not permit splitting MSAs for the purpose of defining a wage area, except in very unusual circumstances.

The Office of Management and Budget (OMB) defines MSAs and maintains and periodically updates the definitions of MSA boundaries. MSAs are composed of counties and are defined on the basis of a central urbanized area—a contiguous area of relatively high population density. Additional surrounding counties are included in MSAs if they have strong social and economic ties to central counties.

When the boundaries of wage areas were first established in the 1960s, there were fewer MSAs than there are today and the boundaries of the then existing MSAs were much smaller. Most MSAs were contained within the boundaries of a wage area. With each OMB update, MSAs have expanded and in some cases now extend beyond the boundaries of the wage area.

FPRAC recently reviewed several wage areas where boundaries subdivide certain MSAs and has recommended by consensus that OPM implement the changes described in this proposed rule. These changes would be effective on the first day of the first applicable pay period beginning on or after 30 days following publication of the final regulations.

#### Washington-Arlington-Alexandria, DC-VA-MD-WV MSA

Washington, DC; Calvert, Charles, Frederick, Montgomery, and Prince George's Counties, MD; Alexandria, Fairfax, Falls Church, Fredericksburg, Manassas, and Manassas Park Cities, VA; Arlington, Clarke, Culpeper, Fairfax, Fauquier, Loudoun, Madison, Prince William, Rappahannock, Spotsylvania, Stafford, and Warren Counties, VA; and Jefferson County, WV, comprise the Washington-Arlington-Alexandria, DC-MD-VA-WV MSA.

The Washington-Arlington-Alexandria MSA is split between the Washington, DC, wage area and the Hagerstown-Martinsburg-Chambersburg, MD, wage area. Washington, DC; Charles, Frederick, Montgomery, and Prince George's Counties, MD; Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park Cities, VA; and Arlington, Fairfax, Loudoun, and Prince William Counties, VA, are part of the Washington, DC, survey area. Calvert County, MD; Fredericksburg City, VA; Clarke, Culpeper, Fauquier, Rappahannock, Spotsylvania, Stafford, and Warren Counties, VA; and Jefferson County, WV, are part of the Washington, DC, area of application. Madison County, VA, is part of the Hagerstown-Martinsburg-Chambersburg area of application.

OPM proposes to redefine Madison County to the Washington, DC, area of application so that the entire Washington-Arlington-Alexandria, DC-VA-MD-WV MSA is in one wage area. There are currently 44 FWS employees working in Madison County.

#### Toledo, OH MSA

Fulton, Lucas, Ottawa, and Wood Counties, OH, comprise the Toledo, OH MSA.

The Toledo MSA is split between the Cleveland, OH, wage area and the Detroit, MI, wage area. Ottawa County is part of the Cleveland area of application while Fulton, Lucas, and Wood Counties are part of the Detroit area of application.

OPM proposes to redefine Ottawa County to the Detroit area of application so that the entire Toledo, OH MSA is in one wage area. There are currently 38 FWS employees working in Ottawa County.

**Hattiesburg, MS MSA**

Covington, Forrest, Lamar, and Perry Counties, MS, comprise the Hattiesburg, MS MSA.

The Hattiesburg MSA is split between the Jackson, MS, wage area and the Meridian, MS, wage area. Covington County is part of the Jackson area of application. Forrest and Lamar Counties are part of the Meridian survey area while Perry County is part of the Meridian area of application.

OPM proposes to redefine Covington County to the Meridian area of application so that the entire Hattiesburg, MS MSA is in one wage area. There are currently no FWS employees working in Covington County.

**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.

**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,**  
*Regulatory Affairs.*

Accordingly, OPM 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.

■ 2. Appendix C to subpart B is amended by revising the wage area listings for the Washington, DC; Hagerstown-Martinsburg-Chambersburg, MD; Detroit, MI; Jackson, MS; Meridian, MS; and, Cleveland, OH, wage areas to read as follows:

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

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**DISTRICT OF COLUMBIA**

**Washington, DC**

*Survey Area*

District of Columbia:

Washington, DC

Maryland:

Charles

Frederick

Montgomery

Prince George’s

Virginia (cities):

Alexandria

Fairfax

Falls Church

Manassas

Manassas Park

Virginia (counties):

Arlington

Fairfax

Loudoun

Prince William

Area of Application. Survey area plus:

Maryland:

Calvert

St. Mary’s

Virginia (city):

Fredericksburg

Virginia (counties):

Clarke

Culpeper

Fauquier

King George

Madison

Rappahannock

Spotsylvania

Stafford

Warren

West Virginia:

Jefferson

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**MARYLAND**

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**Hagerstown-Martinsburg-Chambersburg**

*Survey Area*

Maryland:

Washington

Pennsylvania:

Franklin

West Virginia:

Berkeley

Area of Application. Survey area.

Maryland:

Allegany

Garrett

Pennsylvania:

Fulton

Virginia (cities):

Harrisonburg

Winchester

Virginia (counties):

Frederick

Page

Rockingham

Shenandoah

West Virginia:

Hampshire

Hardy

Mineral

Morgan

\* \* \* \* \*

**MICHIGAN**

**Detroit**

*Survey Area*

Michigan:

Lapeer

Livingston

Macomb

Oakland

St. Clair

Wayne

Area of Application. Survey area.

Michigan:

Arenac

Bay

Clare

Clinton

Eaton

Genesee

Gladwin

Gratiot

Huron

Ingham  
 Isabella  
 Lenawee  
 Midland  
 Monroe  
 Saginaw  
 Sanilac  
 Shiawassee  
 Tuscola  
 Washtenaw  
 Ohio:  
 Fulton  
 Lucas  
 Ottawa  
 Wood  
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**MISSISSIPPI**

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**Jackson**

*Survey Area*  
 Mississippi:  
 Hinds  
 Rankin  
 Warren  
 Area of Application. Survey area.  
 Mississippi:  
 Adams  
 Amite  
 Attala  
 Claiborne  
 Copiah  
 Franklin  
 Holmes  
 Humphreys  
 Issaquena  
 Jefferson  
 Jefferson Davis  
 Lawrence  
 Lincoln  
 Madison  
 Marion  
 Pike  
 Scott  
 Sharkey  
 Simpson  
 Smith  
 Walthall  
 Wilkinson  
 Yazoo

**Meridian**

*Survey Area*  
 Alabama:  
 Choctaw  
 Mississippi:  
 Forrest  
 Lamar  
 Lauderdale  
 Area of Application. Survey area plus:  
 Alabama:  
 Sumter  
 Mississippi:  
 Clarke  
 Covington  
 Greene  
 Jasper  
 Jones  
 Kemper  
 Leake  
 Neshoba  
 Newton  
 Perry

Wayne  
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**OHIO**

\* \* \* \* \*

**Cleveland**

*Survey Area*  
 Ohio:  
 Cuyahoga  
 Geauga  
 Lake  
 Medina  
 Area of Application. Survey area plus:  
 Ohio:  
 Ashland  
 Ashtabula  
 Carroll  
 Columbiana  
 Erie  
 Huron  
 Lorain  
 Mahoning  
 Portage  
 Sandusky  
 Seneca  
 Stark  
 Summit  
 Trumbull  
 Wayne  
 Pennsylvania:  
 Mercer  
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[FR Doc. 2019-17413 Filed 8-13-19; 8:45 am]

**BILLING CODE 6325-39-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2019-0466; Airspace  
 Docket No. 19-ACE-8]

**RIN 2120-AA66**

**Proposed Amendment of Class E  
 Airspace; Marshalltown, IA**

**AGENCY:** Federal Aviation  
 Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking  
 (NPRM).

**SUMMARY:** This action proposes to amend Class E airspace extending upward from 700 feet above the surface at Marshalltown Municipal Airport, Marshalltown, IA. The FAA is proposing this action as the result of an airspace review caused by the decommissioning of the Elmwood VHF omnidirectional range (VOR) navigation aid, which provided navigation guidance for the instrument procedures at these airports, as part of the VOR Minimum Operational Network (MON) Program. Airspace redesign is necessary for the safety and management of instrument flight rules (IFR) operations at this airport.

**DATES:** Comments must be received on or before September 30, 2019.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590; telephone (202) 366-9826, or (800) 647-5527. You must identify FAA Docket No. FAA-2019-0466; Airspace Docket No. 19-ACE-8, at the beginning of your comments. You may also submit comments through the internet at <http://www.regulations.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays.

FAA Order 7400.11C, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [http://www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11C at NARA, email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov) or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

**FOR FURTHER INFORMATION CONTACT:** Rebecca Shelby, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222-5857.

**SUPPLEMENTARY INFORMATION:****Authority for This Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would