

# 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.

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

## OFFICE OF PERSONNEL MANAGEMENT

### 5 CFR Part 532

RIN 3206-AN95

### Prevailing Rate Systems; Redefinition of the Little Rock, Arkansas, and Tulsa, Oklahoma, Appropriated Fund Federal Wage System Wage Areas

**AGENCY:** Office of Personnel Management.

**ACTION:** Final rule.

**SUMMARY:** The Office of Personnel Management (OPM) is issuing a final rule to redefine the geographic boundaries of the Little Rock, Arkansas, and Tulsa, Oklahoma, appropriated fund Federal Wage System (FWS) wage areas. The final rule will redefine the Fort Chaffee portion of Franklin County, AR, to the Tulsa wage area. This change is based on a consensus recommendation of the Federal Prevailing Rate Advisory Committee (FPRAC).

**DATES:**

*Effective date:* June 26, 2020.

*Applicability date:* This change applies on the first day of the first applicable pay period beginning on or after July 27, 2020.

**FOR FURTHER INFORMATION CONTACT:** Madeline Gonzalez, by telephone at (202) 606-2858 or by email at *pay-leave-policy@opm.gov*.

**SUPPLEMENTARY INFORMATION:** On February 13, 2020, OPM issued a proposed rule (85 FR 8205) to redefine the Fort Chaffee portion of Franklin County, AR, from the Little Rock, AR, wage area to the Tulsa, OK, wage area.

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.

The 30-day comment period ended on March 16, 2020. OPM received one

comment supporting the move of the Fort Chaffee portion of Franklin County to the Tulsa wage area and asking OPM to define Monroe County, PA, from the Scranton-Wilkes-Barre, PA, wage area to the New York, NY, wage area. The wage area definition of Monroe County is beyond the scope of this rule.

### 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.

**Alexys Stanley,**

*Regulatory Affairs Analyst.*

Accordingly, OPM is amending 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. In Appendix C to subpart B amend the table by revising the wage area listings for the States of Arkansas and Oklahoma to read as follows:

### Definitions of Wage Areas and Wage Area Survey Areas

*	*	*	*	*
<b>ARKANSAS</b>				
<b>Little Rock</b>				
<i>Survey Area</i>				

Arkansas:  
Jefferson  
Pulaski  
Saline

*Area of Application. Survey area plus:*

Arkansas:  
Arkansas  
Ashley  
Baxter  
Boone  
Bradley  
Calhoun  
Chicot  
Clay

Clark  
 Cleburne  
 Cleveland  
 Conway  
 Dallas  
 Desha  
 Drew  
 Faulkner  
 Franklin (Does not include the Fort Chaffee portion)  
 Fulton  
 Garland  
 Grant  
 Greene  
 Hot Spring  
 Independence  
 Izard  
 Jackson  
 Johnson  
 Lawrence  
 Lincoln  
 Logan  
 Lonoke  
 Marion  
 Monroe  
 Montgomery  
 Newton  
 Ouachita  
 Perry  
 Phillips  
 Pike  
 Polk  
 Pope  
 Prairie  
 Randolph  
 Scott  
 Searcy  
 Sharp  
 Stone  
 Union  
 Van Buren  
 White  
 Woodruff  
 Yell

\* \* \* \* \*

**OKLAHOMA**  
**Oklahoma City**  
*Survey Area*

Oklahoma:  
 Canadian  
 Cleveland  
 McClain  
 Oklahoma  
 Pottawatomie

*Area of Application. Survey area plus:*

Oklahoma:  
 Alfalfa  
 Atoka  
 Beckham  
 Blaine  
 Bryan  
 Caddo  
 Carter  
 Coal  
 Custer  
 Dewey  
 Ellis  
 Garfield  
 Garvin  
 Grady  
 Grant  
 Harper  
 Hughes  
 Johnston  
 Kingfisher

Lincoln  
 Logan  
 Love  
 Major  
 Marshall  
 Murray  
 Noble  
 Payne  
 Pontotoc  
 Roger Mills  
 Seminole  
 Washita  
 Woods  
 Woodward

**Tulsa**  
*Survey Area*

Oklahoma:  
 Creek  
 Mayes  
 Muskogee  
 Osage  
 Pittsburg  
 Rogers  
 Tulsa  
 Wagoner

*Area of Application. Survey area plus:*

Arkansas:  
 Benton  
 Carroll  
 Crawford  
 Franklin (Only includes the Fort Chaffee portion)  
 Madison  
 Sebastian  
 Washington  
 Missouri:  
 McDonald  
 Oklahoma:  
 Adair  
 Cherokee  
 Choctaw  
 Craig  
 Delaware  
 Haskell  
 Kay  
 Latimer  
 LeFlore  
 McCurtain  
 McIntosh  
 Nowata  
 Okfuskee  
 Okmulgee  
 Ottawa  
 Pawnee  
 Pushmataha  
 Sequoyah  
 Washington

\* \* \* \* \*

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**OFFICE OF GOVERNMENT ETHICS**

**5 CFR Part 2641**  
**RIN 3209-AA44**

**Post-Employment Conflict of Interest Restrictions; Revision of Departmental Component Designations**

**AGENCY:** Office of Government Ethics.  
**ACTION:** Final rule.

**SUMMARY:** The U.S. Office of Government Ethics (OGE) is issuing this

final rule to revise the component designations of three agencies for purposes of the one-year post-employment conflict of interest restriction for senior employees. Specifically, based on the recommendations of the agencies concerned, OGE is designating two new components in appendix B to 5 CFR part 2641, and correcting an inadvertent error in the current appendix B listing of a previously-designated component.

**DATES:** This rule is effective June 26, 2020.

**FOR FURTHER INFORMATION CONTACT:** Kimberly L. Sikora Panza, Associate Counsel, Telephone: (202) 482-9300.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Director of OGE (Director) is authorized by 18 U.S.C. 207(h) to designate distinct and separate departmental or agency components in the executive branch for purposes of 18 U.S.C. 207(c), the one-year post-employment conflict of interest restriction for senior employees. Under 18 U.S.C. 207(h)(2), component designations do not apply to persons employed at a rate of pay specified in or fixed according to subchapter II of 5 U.S.C. chapter 53 (the Executive Schedule). Component designations are listed in appendix B to 5 CFR part 2641.

The representational bar of 18 U.S.C. 207(c) usually extends to the whole of any department or agency in which a former senior employee served in any capacity during the year prior to termination from a senior employee position. However, 18 U.S.C. 207(h) provides that whenever the Director determines that an agency or bureau within a department or agency in the executive branch exercises functions which are distinct and separate from the remaining functions of the department or agency and there exists no potential for use of undue influence or unfair advantage based on past Government service, the Director shall by rule designate such agency or bureau as a separate component of that department or agency.

Pursuant to the procedures prescribed in 5 CFR 2641.302(e), three agencies forwarded written requests to OGE to amend their listings in appendix B to part 2641, and on February 7, 2020, OGE published a proposed rule in the **Federal Register** that proposed to revise the component designations of those agencies (85 FR 7252). The proposed rule provided a 30-day comment period, which ended on March 9, 2020. OGE