

# 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-AL63

#### Prevailing Rate Systems; Change in Nonappropriated Fund Federal Wage System Survey Schedule From Fiscal Year to Calendar Year

**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 to change the annual schedule of nonappropriated fund (NAF) Federal Wage System wage surveys from a fiscal year cycle to a calendar year cycle. The purpose of this change is to move certain wage surveys to a different time of year and thus optimize the data collection process for those areas. In addition, this change would more evenly distribute the workload for the agency responsible for conducting NAF surveys.

**DATES:** We must receive comments on or before June 27, 2008.

**ADDRESSES:** Send or deliver comments to Charles D. Grimes III, Deputy Associate Director for Performance and Pay Systems, Strategic Human Resources Policy Division, U.S. Office of Personnel Management, Room 7H31, 1900 E Street, NW., Washington, DC 20415-8200; e-mail [pay-performance-policy@opm.gov](mailto:pay-performance-policy@opm.gov); or FAX: (202) 606-4264.

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

**SUPPLEMENTARY INFORMATION:** As required by law, Federal Wage System (FWS) wage surveys must be conducted on a 2-year cycle at annual intervals in each appropriated and nonappropriated fund (NAF) FWS wage area. A full-scale wage survey is conducted in the first year of the 2-year cycle and an interim (wage-change) survey is conducted between each two consecutive full-scale wage surveys. The U.S. Office of Personnel Management (OPM) is responsible for prescribing the beginning month of appropriated and NAF wage surveys and the fiscal year during which full-scale wage surveys are conducted.

This proposed rule would change the nationwide schedule of NAF regular wage surveys at appendix B to subpart B of part 532 of title 5, Code of Federal Regulations, from a fiscal year cycle to a calendar year cycle. Since a Federal fiscal year straddles two calendar years (i.e., October to September) and only some NAF wage surveys are conducted in the first part of the fiscal year, not all NAF wage areas would be affected by this change. In addition, the lead agency does not need to change the timing of all NAF surveys because many are already conducted at the optimum time, considering agency resources and timing of private sector pay adjustments. Therefore, about one-third of the NAF wage areas would experience no change in the timing of their wage surveys. In the remaining NAF wage areas, the changes in survey schedule would vary from wage area to wage area. In some of the remaining NAF wage areas the wage surveys would be conducted earlier in the year and in others the wage surveys would be conducted later in the year. We note that the adjustment period for this change would be lengthy and some wage areas would require multiple

surveys to comply with the 2-year cycle law. However, changing to a calendar year cycle would significantly simplify the scheduling of NAF surveys.

The Federal Prevailing Rate Advisory Committee, the national labor-management committee responsible for advising OPM on matters concerning the pay of FWS employees, recommended by consensus that we adopt this change. This change would be effective in January 2009.

#### 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.

**Linda M. Springer,**  
*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.

2. In appendix B to subpart B, revise paragraph (3) and the table to read as follows:

#### Appendix B to Subpart B of Part 532— Nationwide Schedule of Nonappropriated Fund Regular Wage Surveys

\* \* \* \* \*

(3) Whether full-scale surveys will be conducted in odd or even numbered calendar years.

State	Wage area	Beginning month of survey	Calendar year of full-scale survey odd or even
Alabama .....	Calhoun .....	April .....	Even.
	Madison .....	April .....	Even.
	Montgomery .....	April .....	Odd.
Alaska .....	Anchorage .....	June .....	Even.
Arizona .....	Maricopa .....	October .....	Even.
	Pima .....	October .....	Even.

State	Wage area	Beginning month of survey	Calendar year of full-scale survey odd or even
Arkansas	Yuma	October	Even.
	Pulaski	April	Odd.
California	Kern	September	Odd.
	Los Angeles	September	Even.
	Monterey	September	Odd.
	Orange	September	Even.
	Riverside	September	Even.
	Sacramento	February	Odd.
	San Bernardino	September	Even.
	San Diego	September	Odd.
	San Joaquin	February	Odd.
	Santa Barbara	September	Even.
	Santa Clara	September	Odd.
	Solano	September	Odd.
	Ventura	September	Even.
Colorado	Arapahoe-Denver	July	Even.
	El Paso	July	Even.
Connecticut	New London	July	Even.
Delaware	Kent	August	Odd.
District of Columbia	Washington, DC	August	Even.
Florida	Bay	January	Even.
	Brevard	January	Odd.
	Miami-Dade	January	Odd.
	Duval	January	Odd.
	Escambia	January	Even.
	Hillsborough	January	Odd.
	Monroe	January	Odd.
	Okaloosa	January	Even.
	Orange	January	Even.
	Chatham	March	Odd.
Georgia	Clayton-Cobb-Fulton	June	Odd.
	Columbus	June	Odd.
	Dougherty	March	Odd.
	Houston	April	Odd.
	Lowndes	March	Odd.
	Richmond	April	Odd.
	Guam	Guam	September
Hawaii	Honolulu	May	Even.
Idaho	Ada-Elmore	July	Odd.
Illinois	Lake	April	Even.
	St. Clair	April	Even.
Kansas	Leavenworth-Jackson-Johnson	April	Even.
	Sedgwick	April	Odd.
Kentucky	Christian-Montgomery	February	Even.
	Hardin-Jefferson	March	Even.
Louisiana	Bossier-Caddo	March	Odd.
	Orleans	June	Odd.
	Rapides	March	Odd.
Maine	Cumberland	October	Odd.
	York	October	Odd.
Maryland	Anne Arundel	August	Even.
	Charles-St. Mary's	August	Even.
	Frederick	August	Even.
	Harford	May	Even.
Massachusetts	Montgomery-Prince George's	August	Even.
	Hampden	October	Odd.
	Middlesex	October	Odd.
Michigan	Macomb	May	Odd.
Minnesota	Hennepin	July	Odd.
Mississippi	Harrison	March	Even.
	Lauderdale	March	Odd.
	Lowndes	March	Odd.
Montana	Cascade	July	Odd.
Nebraska	Douglas-Sarpy	April	Even.
Nevada	Churchill-Washoe	January	Even.
	Clark	January	Even.
New Jersey	Burlington	August	Odd.
	Monmouth	August	Odd.
	Morris	August	Odd.
New Mexico	Bernalillo	February	Odd.
	Curry	June	Odd.
	Dona Ana	February	Odd.

State	Wage area	Beginning month of survey	Calendar year of full-scale survey odd or even
New York	Jefferson	May	Odd.
	Kings-Queens	October	Even.
	Niagara	May	Odd.
North Carolina	Orange	May	Odd.
	Craven	March	Even.
	Cumberland	March	Even.
North Dakota	Onslow	February	Even.
	Wayne	March	Even.
	Grand Forks	July	Odd.
Ohio	Ward	July	Odd.
	Greene-Montgomery	April	Odd.
Oklahoma	Comanche	March	Even.
	Oklahoma	March	Even.
Pennsylvania	Allegheny	May	Odd.
	Cumberland	May	Even.
	Montgomery	August	Odd.
Puerto Rico	York	May	Even.
Puerto Rico	Guaynabo-San Juan	February	Even.
Rhode Island	Newport	July	Even.
South Carolina	Charleston	February	Even.
	Richland	March	Even.
South Dakota	Pennington	June	Even.
Tennessee	Shelby	February	Even.
Texas	Bell	June	Odd.
	Bexar	June	Even.
	Dallas	June	Even.
	El Paso	February	Odd.
	McLennan	May	Odd.
	Nueces	June	Even.
	Tarrant	June	Even.
	Taylor	June	Odd.
	Tom Green	June	Odd.
	Wichita	March	Even.
	Utah	Davis-Salt Lake-Weber	July
Virginia	Alexandria-Arlington-Fairfax	August	Even.
	Chesterfield-Richmond	August	Odd.
	Hampton-Newport News	May	Even.
	Norfolk-Portsmouth-Virginia Beach	May	Even.
	Prince William	August	Even.
Washington	Kitsap	June	Even.
	Pierce	July	Even.
	Snohomish	July	Even.
Wyoming	Spokane	July	Odd.
	Laramie	July	Even.

\* \* \* \* \*

[FR Doc. E8-11838 Filed 5-27-08; 8:45 am]

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**DEPARTMENT OF AGRICULTURE**

**Animal and Plant Health Inspection Service**

**9 CFR Parts 145, 146, and 147**

[Docket No. APHIS-2007-0042]

RIN 0579-AC78

**National Poultry Improvement Plan and Auxiliary Provisions**

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Proposed rule.

**SUMMARY:** We are proposing to amend the National Poultry Improvement Plan (the Plan) and its auxiliary provisions by providing new or modified sampling and testing procedures for Plan participants and participating flocks. The proposed changes were voted on and approved by the voting delegates at the Plan's 2006 National Plan Conference. These changes would keep the provisions of the Plan current with changes in the poultry industry and provide for the use of new sampling and testing procedures.

**DATES:** We will consider all comments that we receive on or before July 28, 2008.

**ADDRESSES:** You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov/fdmspublic/component/>

*main?main=DocketDetail&d=APHIS-2007-0042* to submit or view comments and to view supporting and related materials available electronically.

• *Postal Mail/Commercial Delivery:* Please send two copies of your comment to Docket No. APHIS-2007-0042, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. APHIS-2007-0042.

*Reading Room:* You may read any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you,