

Proposed Rules

Federal Register

Vol. 81, No. 122

Friday, June 24, 2016

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-AN38

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

AGENCY: U.S. Office of Personnel Management.

ACTION: Proposed rule with request for comments.

SUMMARY: The U.S. 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: Salinas-Monterey, CA; San Francisco, CA; New London, CT; Central and Western Massachusetts; Cincinnati, OH; Dayton, OH; Southeastern Washington-Eastern Oregon; and Spokane, WA.

DATES: We must receive comments on or before July 25, 2016.

ADDRESSES: You may submit comments, identified by "RIN 3206-AN38," using any of the following methods:

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

Mail: Brenda L. Roberts, Deputy Associate Director for Pay and Leave, Employee Services, U.S. Office of Personnel Management, Room 7H31, 1900 E Street NW., Washington, DC 20415-8200.

Email: pay-leave-policy@opm.gov.

FOR FURTHER INFORMATION CONTACT: Madeline Gonzalez, by telephone at (202) 606-2838 or by email at 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:

- (i) Distance, transportation facilities, and geographic features;
- (ii) Commuting patterns; and
- (iii) 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 U.S. Office of Management and Budget defines MSAs and maintains and updates the definitions of MSA boundaries following each decennial census. 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. MSAs have expanded each decade 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.

San Jose-Sunnyvale-Santa Clara, CA MSA

San Benito and Santa Clara Counties, CA, comprise the San Jose-Sunnyvale-Santa Clara, CA MSA. The San Jose-

Sunnyvale-Santa Clara MSA is split between the Salinas-Monterey, CA, wage area and the San Francisco, CA, wage area. San Benito County is part of the Salinas-Monterey area of application while Santa Clara County is part of the San Francisco survey area.

OPM proposes to redefine San Benito County to the San Francisco area of application so that the entire San Jose-Sunnyvale-Santa Clara, CA MSA is in one wage area. There are currently 15 FWS employees stationed in San Benito County.

Worcester, MA-CT MSA

Windham County, CT, and Worcester County, MA, comprise the Worcester, MA-CT MSA. The Worcester MSA is split between the New London, CT, wage area and the Central and Western Massachusetts, MA, wage area. Windham County is part of the New London area of application and Worcester County is part of the Central and Western Massachusetts area of application, except that the towns of Warren and West Warren in Worcester County are part of the Central and Western Massachusetts survey area and the towns of Blackstone and Millville in Worcester County are part of the Narragansett Bay, RI, survey area.

OPM proposes to redefine Windham County to the Central and Western Massachusetts area of application so that the entire Worcester, MA-CT MSA is in one wage area. There are currently no FWS employees stationed in Windham County.

Cincinnati, OH-KY-IN MSA

Dearborn, Ohio, and Union Counties, IN; Boone, Bracken, Campbell, Gallatin, Grant, Kenton, and Pendleton Counties, KY; and Brown, Butler, Clermont, Hamilton, and Warren Counties, OH, comprise the Cincinnati, OH-KY-IN MSA. The Cincinnati MSA is split between the Cincinnati, OH, wage area and the Dayton, OH, wage area. Dearborn County, IN; Boone, Campbell, and Kenton Counties, KY; and Clermont, Hamilton, and Warren Counties, OH, are part of the Cincinnati survey area. Ohio County, IN; Bracken, Gallatin, Grant, and Pendleton Counties, KY; and Brown and Butler Counties, OH, are part of the Cincinnati area of application. Union County is part of the Dayton area of application.

OPM proposes to redefine Union County to the Cincinnati area of

application so that the entire Cincinnati, OH-KY-IN MSA is in one wage area. There are currently no FWS employees stationed in Union County.

Walla Walla, WA MSA

Columbia and Walla Walla Counties, WA, comprise the Walla Walla, WA MSA. The Walla Walla MSA is split between the Southeastern Washington-Eastern Oregon wage area and the Spokane, WA, wage area. Walla Walla County is part of the Southeastern Washington-Eastern Oregon survey area and Columbia County is part of the Spokane area of application.

OPM proposes to redefine Columbia County to the Southeastern Washington-Eastern Oregon area of application so that the entire Walla Walla, WA MSA is in one wage area. There are currently three FWS employees stationed in Columbia County.

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.

Beth F. Cobert,
Acting Director.

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.

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

■ 2. Appendix C to subpart B is amended by revising the wage area listings for the Salinas-Monterey, CA; San Francisco, CA; New London, CT; Central and Western Massachusetts; Cincinnati, OH; Dayton, OH; Southeastern Washington-Eastern Oregon; and Spokane, WA, wage areas to read as follows:

* * * * *
CALIFORNIA

* * * * *
Salinas-Monterey
Survey Area
California:
Monterey
Area of Application. Survey area.

* * * * *
San Francisco
California:
Alameda
Contra Costa
Marin
Napa
San Francisco
San Mateo
Santa Clara
Solano
Area of Application. Survey area plus:

California:
Mendocino
San Benito
Santa Cruz
Sonoma

* * * * *
CONNECTICUT
* * * * *
New London
Survey Area
Connecticut:
New London
Area of Application. Survey area.

* * * * *
MASSACHUSETTS
* * * * *
Central and Western Massachusetts
Survey Area

Massachusetts
The following cities and towns in:
Hampden County
Agawam
Chicopee
East Longmeadow
Feeding Hills
Hampden
Holyoke
Longmeadow
Ludlow
Monson
Palmer
Southwick
Springfield
Three Rivers
Westfield
West Springfield
Wilbraham
Hampshire County
Easthampton
Granby
Hadley
Northampton
South Hadley
Worcester County
Warren
West Warren
Area of Application. Survey area plus:

Connecticut:
Windham
Massachusetts:

Berkshire
Franklin
Worcester (except Blackstone and Millville)

The following cities and towns in:

Hampden County
Blandford
Brimfield
Chester
Granville
Holland
Montgomery
Russell
Tolland
Wales
Hampshire County
Amherst
Belchertown
Chesterfield
Cummington
Goshen
Hatfield
Huntington
Middlefield
Pelham
Plainfield
Southampton
Ware
Westhampton
Williamsburg
Worthington
Middlesex County
Ashby
Shirley
Townsend

New Hampshire:

Belknap
Carroll
Cheshire
Grafton
Hillsborough
Merrimack
Sullivan
Vermont:
Addison
Bennington
Caledonia
Essex
Lamoille
Orange
Orleans
Rutland
Washington
Windham
Windsor

* * * * *

OHIO
Cincinnati
Survey Area

Indiana:
Dearborn
Kentucky:
Boone
Campbell
Kenton

Ohio:
Clermont
Hamilton
Warren

Area of Application. Survey area plus:

Indiana:
Franklin
Ohio
Ripley

Switzerland
 Union
 Kentucky:
 Bracken
 Carroll
 Gallatin
 Grant
 Mason
 Pendleton
 Ohio:
 Adams
 Brown
 Butler
 Highland

* * * * *

Dayton

Ohio:
 Champaign
 Clark
 Greene
 Miami
 Montgomery
 Preble

Area of Application. Survey area plus:

Indiana:
 Randolph
 Wayne

Ohio:
 Auglaize
 Clinton
 Darke
 Logan
 Shelby

* * * * *

WASHINGTON

* * * * *

**Southeastern Washington-Eastern Oregon
 Survey Area**

Oregon:
 Umatilla
 Washington:
 Benton
 Franklin
 Walla Walla
 Yakima

Area of Application. Survey area plus:

Oregon:
 Baker
 Grant
 Harney
 Malheur
 Morrow
 Union
 Wallowa
 Wheeler

Washington:
 Columbia
 Kittitas (Only includes the Yakima Firing
 Range portion)

Spokane

Survey Area

Washington:
 Spokane

Area of Application. Survey area plus:

Idaho:
 Benewah
 Bonner
 Boundary
 Clearwater
 Idaho
 Kootenai

Latah
 Lewis
 Nez Perce
 Shoshone
 Washington:
 Adams
 Asotin
 Chelan (Does not include the North Cas-
 cades National Park portion)
 Douglas
 Ferry
 Garfield
 Grant
 Kittitas (Does not include the Yakima
 Firing Range portion)
 Lincoln
 Okanogan
 Pend Oreille
 Stevens
 Whitman

* * * * *

[FR Doc. 2016-14912 Filed 6-23-16; 8:45 am]

BILLING CODE 6325-39-P

DEPARTMENT OF AGRICULTURE

**Animal and Plant Health Inspection
 Service**

9 CFR Parts 2 and 3

[Docket No. APHIS-2012-0107]

**Petition To Amend Animal Welfare Act
 Regulations To Prohibit Public Contact
 With Big Cats, Bears, and Nonhuman
 Primates**

AGENCY: Animal and Plant Health
 Inspection Service, USDA.

ACTION: Notice; reopening of comment
 period.

SUMMARY: We are reopening the
 comment period for a petition
 requesting amendments to the Animal
 Welfare Act regulations and standards
 pertaining to physical contact with
 dangerous animals. We are especially
 interested in receiving public comments
 on the additional questions included in
 this notice. We are providing
 information about upcoming virtual
 stakeholder listening sessions and other
 efforts intended to gather additional
 public comment. This action will allow
 interested persons additional time to
 prepare and submit comments and
 further inform our thinking on the
 handling of dangerous animals.

DATES: The comment period for the
 notice published on August 5, 2013 (78
 FR 47215) and reopened on October 24,
 2013 (78 FR 63408) is reopened. We will
 consider all comments that we receive
 on or before August 31, 2016. The
 virtual listening sessions described in
 this notice will be held on Wednesday,
 June 29, 2016, from 1 p.m. to 3 p.m.

eastern time (ET); Wednesday, July 6,
 2016, from 1 p.m. to 3 p.m. ET; and
 Thursday, August 4, 2016, from 1 p.m.
 to 3 p.m. ET. Registration is required to
 participate in the listening sessions.
 Links for registering to participate in the
 virtual listening sessions are included in
 the Web site in footnote 2 below.

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

- *Federal eRulemaking Portal:* Go to
[http://www.regulations.gov/
 #!docketDetail;D=APHIS-2012-0107](http://www.regulations.gov/#!docketDetail;D=APHIS-2012-0107).

- *Postal Mail/Commercial Delivery:*

Send your comment to Docket No.
 APHIS-2012-0107, Regulatory Analysis
 and Development, PPD, APHIS, Station
 3A-03.8, 4700 River Road Unit 118,
 Riverdale, MD 20737-1238.

Supporting documents and any
 comments we receive on this docket
 may be viewed at [http://
 www.regulations.gov/
 #!docketDetail;D=APHIS-2012-0107](http://www.regulations.gov/#!docketDetail;D=APHIS-2012-0107) or

in our reading room, which 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, please call (202) 799-7039
 before coming.

FOR FURTHER INFORMATION CONTACT: Dr.
 Barbara Kohn, Senior Staff Veterinarian,
 Animal Care, APHIS, 4700 River Road
 Unit 84, Riverdale, MD 20737-1234;
 (301) 851-3751.

SUPPLEMENTARY INFORMATION:

On August 5, 2013, we published in
 the **Federal Register** (78 FR 47215-
 47217, Docket No. APHIS-2012-0107) a
 notice¹ making available for comment a
 petition requesting amendments to the
 Animal Welfare Act (AWA) regulations
 and standards, including amendments
 to prohibit licensees from allowing
 individuals, with certain exceptions,
 from coming into direct or physical
 contact with big cats, bears, or
 nonhuman primates of any age, to
 define the term “sufficient distance,”
 and to prohibit the public handling of
 young or immature big cats, bears, and
 nonhuman primates.

Comments were required to be
 received on or before October 4, 2013.
 In a subsequent notice published
 October 24, 2013 (78 FR 63408), we
 reopened the comment period for an
 additional 45 days to November 18,
 2013. We received 15,379 comments.

We are again reopening the comment
 period and will accept all comments we
 receive on or before August 31, 2016.

¹ To view the notice, petition, and the comments
 we received, go to [http://www.regulations.gov/
 #!docketDetail;D=APHIS-2012-0107](http://www.regulations.gov/#!docketDetail;D=APHIS-2012-0107).