

Rules and Regulations

Federal Register

Vol. 61, No. 106

Friday, May 31, 1996

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. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 532

RIN 3206-AH30

Prevailing Rate Systems; Abolishment of Merced, CA, Nonappropriated Fund Wage Area

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The Office of Personnel Management is issuing a final rule to abolish the Merced, CA, nonappropriated fund (NAF) Federal Wage System (FWS) wage area and redefine the county having continuing FWS employment (Fresno) as an area of application to the Kern, CA, NAF wage area for pay-setting purposes. The remaining Merced wage area county (Merced) has no FWS employment and is being deleted.

EFFECTIVE DATE: July 1, 1996.

FOR FURTHER INFORMATION CONTACT: Paul Shields, (202) 606-2848.

SUPPLEMENTARY INFORMATION: On February 15, 1996, the Office of Personnel Management (OPM) published an interim rule to abolish the Merced, CA, nonappropriated fund (NAF) Federal Wage System (FWS) wage area and redefine the county having continuing FWS employment (Fresno County) as an area of application to the Kern, CA, NAF wage area for pay-setting purposes. The remaining Merced wage area county (Merced) is being deleted because it has no FWS employment. The interim rule provided a 30-day period for public comment. OPM received no comments during the comment period. Therefore, the interim rule is being adopted as a final rule.

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.

Accordingly, under the authority of 5 U.S.C. 5343, the interim rule amending 5 CFR part 532 published on February 15, 1996 (61 FR 5921), is adopted as final without any changes.

Office of Personnel Management.

Lorraine A. Green,

Deputy Director,

[FR Doc. 96-13683 Filed 5-30-96; 8:45 am]

BILLING CODE 6325-01-M

5 CFR Part 591

RIN 3206-AH17

Allowances and Differentials; Separate Maintenance Allowance for Duty at Johnston Island

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The Office of Personnel Management (OPM) is issuing final regulations to change the method for setting separate maintenance allowance (SMA) rates for duty at Johnston Island. Under this method, SMA rates for Johnston Island are set at the same amount and adjusted at the same time as SMA rates established by the Department of State for employees who receive SMA's in foreign areas.

EFFECTIVE DATE: July 1, 1996.

FOR FURTHER INFORMATION CONTACT: Roger M. Knadle, (202) 606-2858, or FAX: (202) 606-0824.

SUPPLEMENTARY INFORMATION: On October 17, 1995, the Office of Personnel Management published proposed regulations (60 FR 53716) to set and adjust the SMA rates for Johnston Island (a non-foreign area) at the same time and in the same manner as SMA rates for employees in foreign areas. The 60-day public comment period ended on December 18, 1995. We received one comment from one agency

supporting the regulations as proposed. Therefore, OPM is issuing final regulations that are the same as the proposed regulations.

An SMA is paid to employees assigned to Johnston Island to help meet the additional expense of maintaining family members elsewhere who would normally reside with the employee. Johnston Island is a possession of the United States in the Pacific Ocean and is a non-foreign post of duty. Much of the island is devoted to chemical weapon storage and disposal facilities. Because of hazardous conditions (toxic waste) and the lack of facilities, family members are not allowed on the island.

Civilian employees assigned to foreign areas who are precluded from establishing a residence because of local living conditions or Federal policy are authorized an SMA established by the Department of State that is periodically updated based on the Consumer Price Index (CPI) and budgetary considerations. The final regulations abolish the current SMA rates established by OPM regulations and provide that SMA rates for Johnston Island will be set and adjusted at the same time and in the same amount as SMA rates established by the *Standardized Regulations (Government Civilians, Foreign Areas)* of the Department of State for employees in foreign areas. This maintains equity between civilian employees assigned to foreign and non-foreign areas. The final regulations apply only to Federal civilian employees assigned to Johnston Island.

The SMA rates will be adjusted on the first day of the first pay period beginning on or after the effective date of these regulations. Subsequently, the SMA rates will be adjusted on the first day of the first pay period beginning on or after the effective date of SMA rate adjustments under the Department of State's *Standardized Regulations (Government Civilians, Foreign Areas)*. This change in methodology for setting SMA rates is not retroactive.

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.