

record. After 30 days, the Commission will again review the agreement and the comments received and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement's proposed order.

This matter involves Respondent's home-buying service. Respondent offers to buy consumers' homes directly as an alternative to listing those homes for sale on the market. In advertisements, on its website, and in its offers to purchase homes, Respondent has represented that: (1) its offers reflect Opendoor's best estimate of the home's market value, with no adjustments to that amount; (2) the costs associated with a sale to Opendoor are generally lower than costs associated with traditional sales; and (3) the vast majority of consumers who sell their homes to Opendoor will make substantially more than if they sold traditionally.

The complaint alleges that, in fact, Opendoor reduced its offers below what it believed to be the homes' market value, costs associated with Opendoor sales were higher than typical costs in a traditional sale, and most consumers who sold to Opendoor lost thousands of dollars compared to what they would have made in a traditional sale. The complaint therefore alleges that Respondent violated Section 5(a) of the FTC Act by making false and unsubstantiated claims that consumers were likely to realize more money selling their homes to it than they would realize in traditional sales, including by misrepresenting that: (1) Opendoor's offers reflect its unadjusted assessment of a home's market value; (2) Opendoor does not make money from "buying low and selling high"; (3) the costs of repairs it demands a seller make or pay for would be likely the same as what they would pay in a traditional sale; and (4) consumers would pay less in costs by selling to Opendoor than what they would pay in a traditional sale.

The proposed order contains provisions designed to prevent Respondent from engaging in the same or similar acts or practices in the future. It applies to the marketing of any "Real-Estate Service," defined as "any product or service designed to assist a consumer in selling a home, including Respondent purchasing homes from consumers." It does not apply to titling services, which are not relevant to the allegations in the complaint.

Part I.A of the order prohibits Respondent from misrepresenting: (1) that consumers will receive more money using a Real Estate Service than they

would using a different good or service; (2) that consumers will save money; (3) that consumers will receive a price for their homes equivalent to what they would likely receive by listing their homes on the market; (4) the amount of repair costs consumers will pay; (5) that consumers will save money on repair costs; (6) that any offer to purchase a consumer's home is an accurate and unbiased projection of that home's market value; and (7) that the person or persons offering any good or service do not expect to make money from reselling homes.

Part I.B prohibits Respondent from making any representation about the costs of selling a home traditionally unless the representation is non-misleading and Respondent has competent and reliable evidence to substantiate that the representation is true. Part I.C prohibits Respondent from making any representation about the costs, savings, or financial benefit of a Real-Estate Service unless the representation is non-misleading and Respondent has competent and reliable evidence to substantiate that the representation is true.

Parts II and III require Respondent to pay to the Commission \$62,000,000 and describes the procedures and legal rights related to that payment. Part IV requires Respondent to provide customer information to enable the Commission to administer consumer redress.

Part V requires Respondent to submit an acknowledgement of receipt of the order, and to distribute a copy of the order to: (1) all principals, officers, directors, and LLC managers and members; (2) all employees having managerial responsibilities for Real Estate Services; and (3) any business entity resulting from a change in corporate governance. It also requires Respondent to obtain acknowledgements from each individual or entity to which a Respondent has delivered a copy of the order.

Part VI requires Respondent to file a compliance report with the Commission and to notify the Commission of bankruptcy filings or changes in corporate structure that might affect compliance obligations. Part VII contains recordkeeping requirements for accounting records, personnel records, and advertising and marketing materials related to Real-Estate Services, as well as all records necessary to demonstrate compliance with the order. Part VIII contains other requirements related to the Commission's monitoring of Respondent's order compliance. Part IX provides the effective dates of the order,

including that, with exceptions, the order will terminate in 20 years.

The purpose of this analysis is to facilitate public comment on the order, and it is not intended to constitute an official interpretation of the complaint or order, or to modify the order's terms in any way.

By direction of the Commission.

**Joel Christie,**

*Assistant Secretary.*

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## GENERAL SERVICES ADMINISTRATION

[OMB Control No. 3090-XXXX; Docket No. 2022-0001; Sequence No. 7]

### Submission for OMB Review; General Services Administration Regulation; Construction Payrolls and Basic Records

**AGENCY:** Office of Acquisition Policy, General Services Administration (GSA).

**ACTION:** Notice of request for comments regarding a new request for an OMB clearance.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division will be submitting to the Office of Management and Budget (OMB) a request to review and approve a new information collection requirement.

**DATES:** Submit comments on or before September 8, 2022.

**ADDRESSES:** Written comments and recommendations for this information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under Review—Open for Public Comments" or by using the search function.

**FOR FURTHER INFORMATION CONTACT:** Ms. Johnnie McDowell, Procurement Analyst, General Services Administration, at telephone 202-718-6112 or via email at [gsarpolicy@gsa.gov](mailto:gsarpolicy@gsa.gov) for clarification of content.

#### SUPPLEMENTARY INFORMATION:

##### A. Purpose

The Federal Acquisition Regulation (FAR) Clause 52.222-8 Payrolls and Basic Records requires United States construction contracts in excess of \$2,000 to submit weekly for each week in which any contract work is performed a copy of all payrolls to the Contracting Officer. The clause allows contractors to submit the required

weekly payroll information using the DOL WH-347 form or any other form desired. GSA is proposing to deviate from the FAR clause to require these construction contractors to use the GSA Electronic Payroll Template and its portal to submit the required weekly payroll data. The proposed revision will increase the efficiency of the weekly payroll certification process for the contractor, GSA and the contractor's employee through the use of a standardized automated process. The current manual process for reviewing weekly certified payroll data requires an enormous amount of labor hours and has a large probability of human error, *i.e.*, non-identification or delayed identification of errors in pay for covered workers. Delays in identifying payroll errors are costly to the contractor who will need to pay retroactive wage adjustments and the employee will have suffered reduced economic purchase power due to the error in wages.

### B. Annual Reporting Burden

GSA bases the following burden estimates for certified payrolls on SAM.gov reports for Fiscal Year 2021. The report indicated 182 new prime construction contractors for GSA projects were subject to the Davis-Bacon or Related Act. GSA's automation of the data collection process will not increase the existing data collection burden from the DOL Wage and Hour Division (WHD) the Office of Management and Budget (OMB) Information Control No. 1235-0008, Davis-Bacon Certified Payroll or 1235-0018, Records to be kept by Employers—Fair Labor Standards Act.

*Respondents:* 182 (170 prime contractors plus 12 subcontractors).

*Responses per Respondent:* 52 (1 for each week of the year).

*Total Annual Responses:* 9,464 (182 new respondents × 52 responses).

*Hours per Response:* 33 minutes (weighted average of 56 minutes (DOL estimated time to input information plus 1 minute recordkeeping for initial entry) + 31 minutes (estimated time to certify payroll in new system plus 1 minute recordkeeping)).

*Total Burden Hours:* 5,205 ((9,464 annual responses × 33 minutes)/60 minutes).

### C. Discussion and Analysis

A 60-day notice published in the **Federal Register** at 87 FR 27148 on May 6, 2022. One comment was received. No change was made to the information collection requirements or supporting statement as a result of the public

comments, because it was not applicable to the policy.

**Obtaining Copies of Proposals:** Requesters may obtain a copy of the information collection documents from the Regulatory Secretariat Division by calling 202-501-4755 or emailing [GSARegSec@gsa.gov](mailto:GSARegSec@gsa.gov). Please cite OMB Control No. 3090-XXXX, Payrolls and Basic Records Clause, in all correspondence.

**Jeffrey A. Koses,**

*Senior Procurement Executive, Office of Acquisition Policy, Office of Government-wide Policy.*

[FR Doc. 2022-17050 Filed 8-8-22; 8:45 am]

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## UNITED STATES AGENCY FOR GLOBAL MEDIA

### USAGM FY 2021 Service Contract Analysis & FY 2020 Service Contract Inventory

**AGENCY:** United States Agency for Global Media.

**ACTION:** Notice.

**SUMMARY:** The United States Agency for Global Media (USAGM) announces the members of its FY 2021 Service Contract Analysis and FY 2020 Service Contract Inventory.

**ADDRESSES:** USAGM Office of Contracts, 330 Independence Ave. SW, Washington, DC 20237

**FOR FURTHER INFORMATION CONTACT:** Khilena Adhin, Acquisition Policy Branch Chief, at [kadhin@usagm.gov](mailto:kadhin@usagm.gov) or (202) 920-2302.

**SUPPLEMENTARY INFORMATION:** In accordance with Section 743 of Division C of the Consolidated Appropriations Act of 2010, the U.S. Agency for Global Media (USAGM) is publishing this notice to advise the public of the availability of its FY 2021 Service Contract Analysis and FY 2020 Service Contract Inventory. They are available on the USAGM website, through the following link: [USAGM—Service Contract Inventory Reports](#).

The service contract inventory provides information on service contract actions over \$25,000 made in FY 2020. The information is organized by function to show how contracted resources are distributed throughout the Agency. The inventory has been developed in accordance with guidance on service contract inventories issued on November 5, 2010 and on December 19, 2011 by the Office of Management and Budget, Office of Federal Procurement Policy (OFPP).

Dated: August 4, 2022.

**Oanh Tran,**

*Executive Director, U.S. Agency for Global Media.*

[FR Doc. 2022-17038 Filed 8-8-22; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

[Document Identifiers: CMS-437A and CMS-437B]

### Agency Information Collection Activities: Proposed Collection; Comment Request

**AGENCY:** Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

**ACTION:** Notice.

**SUMMARY:** The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (the PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

**DATES:** Comments must be received by October 11, 2022.

**ADDRESSES:** When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to <http://www.regulations.gov>. Follow the instructions for "Comment or Submission" or "More Search Options" to find the information collection document(s) that are accepting comments.