

in the professional and non-professional units, respectively, with AFGE “remain[ing] the successor exclusive representative of” that combined group of employees. Citing *AMCOM*, AFGE argued that Authority precedent “has treated a national union and its constituent locals as one union” by focusing on the number of “unions” involved, rather than the number of “exclusive representatives.” AFGE claimed that because AFGE and Local 2516 are part of the same labor organization, the Region should treat them as the same entity for purposes of the petition.

To resolve the petition, the RD applied the three-prong test the Authority set forth in *Port Hueneme*. As to the first prong, the RD found the transferred employees share a community of interest, the proposed professional and nonprofessional units would promote effective dealings and efficiency of operations, and the transferred employees represent a majority of the employees in the proposed units. The RD also found the second *Port Hueneme* prong met because post-transfer, the employees have a substantially similar mission as pre-transfer; and the transferred employees have the same, or substantially similar, job titles, position descriptions, and other general conditions of employment as they had before the transfer.

As to the third *Port Hueneme* prong, the RD found that Local 2516 represented approximately ninety-two percent of the nonprofessional employees and ninety-eight percent of the professional employees. Therefore, the RD concluded Local 2516 was sufficiently predominant with regard to both units, rendering it unnecessary to conduct elections to determine the units’ exclusive representatives. In reaching this conclusion, the RD rejected AFGE’s argument that it should be treated as the same labor organization as Local 2516 for purposes of resolving the petitions. Specifically, the RD rejected AFGE’s argument that *AMCOM* focused on the number of “unions” involved, and not the number of “exclusive representatives,” in determining whether a union was sufficiently predominant. The RD further noted that Local 2516 “vehemently object[ed]” to AFGE’s assertion that AFGE and Local 2516 should be treated as one entity for the purposes of the petition.

Based on these findings, the RD concluded that: (1) DHA, El Paso Market is the transferred employees’ successor employer; (2) the transferred employees are in two appropriate units—one

professional, one nonprofessional—under section 7112(a) of the Statute; and (3) Local 2516 is the exclusive representative of those units.

## 2. Application for Review

In an application for review of the RD’s decision, AFGE argued that the RD failed to follow Authority precedent; the RD’s decision raises an issue for which there is an absence of precedent; and the RD committed prejudicial procedural errors. AFGE contends the RD erred by treating AFGE and Local 2516 as separate unions for the purpose of determining who would represent the successor bargaining units. According to AFGE, both *AMCOM* and the Statute support treating AFGE and Local 2516 as one “union” or “labor organization” for purposes of applying *Port Hueneme*’s third prong.

## 3. Questions on Which Briefs Are Solicited

In *DHA*, the Authority issued an unpublished order dated September 29, 2023 and concluded, upon preliminary review of the record, that AFGE’s application raised issues warranting further review. The Authority deferred action on the application’s merits. In order to assist with such action, the Authority now solicits additional briefs.

As noted above, when applying the third prong of the *Port Hueneme* test to determine whether it has been demonstrated that an election is necessary, the Authority has held that a union that represents more than 70 percent of the employees in a newly combined unit formerly represented by two or more unions is sufficiently predominant to render an election unnecessary. *AMCOM*, 56 FLRA at 131. The Authority directs the parties, and invites all interested persons, to file briefs addressing the following questions:

1. For purposes of assessing whether a union represents more than 70 percent of the employees, does the Statute allow the Authority to combine employees exclusively represented by an affiliate of a parent labor organization with employees exclusively represented by the parent organization or another affiliate of the parent organization?
2. If the answer to Question 1 is yes and the combined employees represented by related entities are more than 70 percent of the employees in a newly combined unit, then which of the related entities becomes the certified exclusive representative?
3. Does the answer to either of these questions depend on whether the affiliate(s) have designated the parent organization to act as their representative for successorship proceedings?

For purposes of addressing these questions, the term “parent organization” should be interpreted to mean the national or

international union with which a subsidiary union, acting as a bargaining unit’s exclusive representative, is affiliated.

## 4. Required Format for Briefs

All briefs shall be captioned “*Defense Health Agency, El Paso Market*, Case No. DE-RP-22-0028.” Briefs shall contain separate headings for each issue covered. Interested persons must submit an original of each amicus brief, with any enclosures, on 8½ x 11 inch paper. Briefs must include a signed and dated statement of service that complies with the Authority’s Regulations showing service of one copy of the brief on all counsel of record or other designated representatives as well as the Federal Labor Relations Authority Regional Director involved in this case. 5 CFR 2429.27. Accordingly, briefs must be served on: Jennifer Giambastiani, Chief, Labor and Employment Law Branch, Defense Health Agency, Office of the General Counsel, 7700 Arlington Blvd., Falls Church, VA 22042; Sam Romirowsky, Labor Management Employee Relations, Defense Health Agency, Human Capital Division, 7700 Arlington Blvd., Falls Church, VA 22042; Felicia Sharp, Legal Administrative Specialist, Defense Health Agency, Office of the General Counsel, 7700 Arlington Blvd., Falls Church, VA 22042; Jessica Clarke, Assistant General Counsel, Office of the General Counsel American Federation of Government Employees, 80 F Street NW, Washington, DC 20001; Julian Patrick, President, AFGE Local 2516, 3135 Forney Ln., El Paso, TX 79935; and Timothy Sullivan, Regional Director, Denver Regional Office, Federal Labor Relations Authority, 1244 Speer Blvd., Suite 446, Denver, CO 80204. Interested persons may obtain copies of the Authority’s decision granting the application for review in this case by contacting Erica Balkum, Chief, Office of Case Intake and Publication, Federal Labor Relations Authority, (771) 444-5809.

Dated: July 11, 2024.

**Thomas Tso,**

*Solicitor and Federal Register Liaison, Federal Labor Relations Authority.*

[FR Doc. 2024-15606 Filed 7-15-24; 8:45 am]

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## FEDERAL MARITIME COMMISSION

### Notice of Release of Federal Maritime Commission’s FY 2022 Service Contract Inventory Analysis

**AGENCY:** Federal Maritime Commission.

**ACTION:** Notice.

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**SUMMARY:** The Federal Maritime Commission (Commission) is publishing this notice to advise the public of the availability of its FY 2022 Service Contract Inventory Analysis. The FY 2022 Service Contract Inventory Analysis includes Scope, Methodology, Findings, Actions Taken or Planned, and Accountable Officials.

**DATES:** The inventory is available on the Commission's website as of June 24, 2024.

**FOR FURTHER INFORMATION CONTACT:** Katona Bryan-Wade, Director of the Office of Management Services; Phone: (202) 523-5900; Email: [omsmaritime@fmc.gov](mailto:omsmaritime@fmc.gov).

**SUPPLEMENTARY INFORMATION:** Acting in compliance with sec. 743 of Division C of the Consolidated Appropriations Act 2010, the Commission is publishing this notice to advise the public of the availability of its FY 2022 Service Contract Inventory Analysis. The FY 2022 Service Contract Inventory Analysis includes Scope, Methodology, Findings, Actions Taken or Planned, and Accountable Officials.

#### Objectives, and Agency Findings

This analysis was developed in accordance with guidance issued by the Office of Management and Budget (OMB), the Office of Federal Procurement Policy (OFPP), and in accordance with FAR subpart 4.17—Service Contracts Inventory. The Federal Maritime Commission has posted its FY 2022 Service Contract Inventory Analysis at the following link: <https://www.fmc.gov/about/strategies-budgets-and-performance/service-contract-inventory-analysis/>.

By the Commission.

**David Eng,**  
Secretary.

[FR Doc. 2024-15585 Filed 7-15-24; 8:45 am]

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#### GENERAL SERVICES ADMINISTRATION

[Notice-MRB-2024-04; Docket No. 2024-0002; Sequence No. 32]

#### Notice of a Federal Advisory Committee Call for Nominations

**AGENCY:** Office of Government-wide Policy (OGP), General Services Administration (GSA).

**ACTION:** Notice.

**SUMMARY:** The GSA Acquisition Policy Federal Advisory Committee (hereinafter “the Committee” or “the GAP FAC”), a discretionary advisory

committee, is announcing a call for membership nominations.

**DATES:** GSA will consider nominations that are submitted via email by August 15, 2024.

**ADDRESSES:** Please submit nominations to Stephanie Hardison or David Cochennic by email to [gapfac@gsa.gov](mailto:gapfac@gsa.gov).

**FOR FURTHER INFORMATION CONTACT:** Stephanie Hardison, Designated Federal Officer, OGP, 202-258-6823, or David Cochennic, OGP, 904-403-0829, or email: [gapfac@gsa.gov](mailto:gapfac@gsa.gov).

**SUPPLEMENTARY INFORMATION:** This notice announces a call for membership nominations to the GAP FAC.

On July 3, 2024, GSA renewed the GAP FAC which it had established on July 6, 2022. The renewed GAP FAC shall be composed of no less than ten (10) and no more than thirty (30) Federal and non-Federal members, with expertise in acquisition and emerging technology. We are seeking the following skill sets to support our new focus area: Artificial Intelligence and Data Learning, Programming and Software Development, Data Science and Machine Learning, Cloud Computing and Infrastructure, Big Data and Analytics, and Cybersecurity. GSA continues to be interested in perspectives of small business, science, manufacturing, engineering, academia, technology, law, State and local governments, independent associations or councils, and other appropriate industry sectors along with perspectives across the US Government. GSA values opportunities to increase participation in its federal advisory committees.

#### Advisory Committee

The GAP FAC will operate in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended (5 U.S.C. 1001-1013). The GAP FAC will be solely advisory in nature. Consistent with FACA and its requirements, each meeting of the GAP FAC will be open to the public unless otherwise notified in accordance with the Government in the Sunshine Act. A notice of each meeting will be published in the **Federal Register** at least fifteen (15) days in advance of the meeting. Records will be maintained for each meeting and made available for public inspection. All activities of the GAP FAC will be conducted in an open, transparent, and accessible manner.

Members will be designated as Regular Government Employees (RGEs), Special Government Employees (SGEs), or Representative members as appropriate. GSA's Office of General Counsel will assist the Designated

Federal Officers (DFO) to determine the advisory committee member designations.

In general, SGEs are experts in their field who provide Federal advisory committees with their own best independent judgment based on their individual expertise.

Representatives are members selected to represent a specific point of view held by a particular group, organization, or association. Members who are full-time or permanent part-time Federal civilian officers or employees shall be appointed to serve as Regular Government Employee (RGE) members. In accordance with OMB Final Guidance published in the **Federal Register** on October 5, 2011, and revised on August 13, 2014, federally registered lobbyists may not serve on the Committee in an individual capacity to provide their own individual best judgment and expertise, such as SGEs and RGEs members. This ban does not apply to lobbyists appointed to provide the Committee with the views of a particular group, organization, or association, such as a representative member.

#### Committee Focus

The focus areas outlined are intended to serve as general guidelines. These topics will be developed into more detailed and actionable priorities.

- Identifying regulatory and policy changes to enable use of generative AI in federal acquisition.
- Identifying methods that enable GSA acquisition policy to strengthen the role of emerging disruptive technologies in the acquisition process.
- Prioritizing cybersecurity and accessibility considerations, to ensure a secure and equitable environment.
- Using emerging technology and data to streamline and optimize acquisition processes; without sacrificing quality or oversight.
- Identifying guardrails to safeguard the acquisition of disruptive technology—to ensure clarity on requirements and business value.

#### Member Nominations

In the selection of members for the advisory committee, GSA will follow the process in GSA Order ADM 5420.40E, GSA Federal Advisory Committee Management Program, and consider a cross-section of those directly affected, interested, and qualified, as appropriate to the nature and functions of the advisory committee. Membership will depend upon several factors, including: (i) The advisory committee's mission; (ii) The geographic, ethnic, social, economic, or scientific impact of