

# Rules and Regulations

Federal Register

Vol. 77, No. 38

Monday, February 27, 2012

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-AM49

### Prevailing Rate Systems; Abolishment of Monmouth, NJ, as a Nonappropriated Fund Federal Wage System Wage Area

**AGENCY:** U.S. Office of Personnel Management.

**ACTION:** Final rule.

**SUMMARY:** The U.S. Office of Personnel Management is issuing a final rule to abolish the Monmouth, New Jersey, nonappropriated fund (NAF) Federal Wage System (FWS) wage area and redefine Monmouth County, NJ, to the Burlington, NJ, NAF wage area. These changes are necessary because the closure of Fort Monmouth left the Monmouth wage area without an activity having the capability to conduct a local wage survey.

**DATES:** *Effective date:* This regulation is effective on February 27, 2012.

**FOR FURTHER INFORMATION CONTACT:** Madeline Gonzalez, (202) 606-2838; email [pay-leave-policy@opm.gov](mailto:pay-leave-policy@opm.gov); or Fax: (202) 606-4264.

**SUPPLEMENTARY INFORMATION:** On August 25, 2011, the U.S. Office of Personnel Management (OPM) issued an interim rule (76 FR 53045) to abolish the Monmouth, New Jersey, nonappropriated fund (NAF) Federal Wage System (FWS) wage area and redefine Monmouth County, NJ, to the Burlington, NJ, NAF wage area. FWS employees remaining in the Monmouth wage area were transferred to the Burlington wage area schedule on the first day of the first applicable pay period beginning on or after October 15, 2011. The Federal Prevailing Rate Advisory Committee, the national labor-management committee responsible for

advising OPM on matters concerning the pay of FWS employees, reviewed and recommended these changes by consensus. The interim rule had a 30-day comment period, during which OPM received no comments.

### 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.

U.S. Office of Personnel Management.

**John Berry,**

*Director.*

Accordingly, under the authority of 5 U.S.C. 5343, the interim rule published on August 25, 2011, amending 5 CFR part 532 (76 FR 53045) is adopted as final with no changes.

[FR Doc. 2012-4548 Filed 2-24-12; 8:45 am]

**BILLING CODE 6325-39-P**

## FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

### 5 CFR Parts 1630, 1631, and 1632

### Change of Address and Electronic Submission of FOIA Requests

**AGENCY:** Federal Retirement Thrift Investment Board.

**ACTION:** Direct final rule.

**SUMMARY:** The Federal Retirement Thrift Investment Board (Agency) is amending its regulations to reflect its new office address and to permit Freedom of Information Act (FOIA) requests via electronic mail and facsimile.

**DATES:** This rule is effective April 12, 2012 without further action, unless adverse comment is received by March 28, 2012. If adverse comment is received, the Federal Retirement Thrift Investment Board will publish a timely withdrawal of the rule in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Amanda Haas at 202-942-1660.

**SUPPLEMENTARY INFORMATION:** The Agency administers the Thrift Savings Plan (TSP), which was established by

the Federal Employees' Retirement System Act of 1986 (FERSA), Public Law 99-335, 100 Stat. 514. The TSP provisions of FERSA are codified, as amended, largely at 5 U.S.C. 8351 and 8401-79. The TSP is a tax-deferred retirement savings plan for Federal civilian employees and members of the uniformed services. The TSP is similar to cash or deferred arrangements established for private-sector employees under section 401(k) of the Internal Revenue Code (26 U.S.C. 401(k)).

### Address Change

The Agency has moved its headquarters to a new location in Washington, DC. This amendment to the Agency's regulations revises all references to the location of the Agency to reflect its new address.

### Electronic Submission of Freedom of Information Act Requests

Section 1631.6(a) currently permits submission of FOIA requests by postal mail only. The Agency is amending section 1631.6(a) to permit submission of FOIA requests by electronic mail and facsimile.

### Regulatory Flexibility Act

I certify that this regulation will not have a significant economic impact on a substantial number of small entities. This regulation will primarily affect Federal employees and members of the uniformed services who participate in the Thrift Savings Plan, which is a Federal defined contribution retirement savings plan created under the Federal Employees' Retirement System Act of 1986 (FERSA), Public Law 99-335, 100 Stat. 514, and which is administered by the Agency.

### Paperwork Reduction Act

I certify that these regulations do not require additional reporting under the criteria of the Paperwork Reduction Act.

### Unfunded Mandates Reform Act of 1995

Pursuant to the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 602, 632, 653, 1501-1571, the effects of this regulation on state, local, and tribal governments and the private sector have been assessed. This regulation will not compel the expenditure in any one year of \$100 million or more by state, local, and tribal governments, in the aggregate, or by the private sector. Therefore, a