

OFFICE OF PERSONNEL MANAGEMENT

January 2013 Pay Schedules

AGENCY: U.S. Office of Personnel Management.

ACTION: Notice.

SUMMARY: The President has signed an Executive Order containing the 2013 pay schedules for certain Federal civilian employees. The rates of pay for these employees will not be increased in 2013 and remain at 2010 levels. This notice serves as documentation for the public record.

FOR FURTHER INFORMATION CONTACT: Tameka Gillis, Pay and Leave, Employee Services, U.S. Office of Personnel Management; (202) 606-2858; FAX (202) 606-0824; or email to pay-leave-policy@opm.gov.

SUPPLEMENTARY INFORMATION: On April 5, 2013, the President signed Executive Order 13641 (78 FR 21503), which documented the January 2013 pay schedules. Pursuant to Public Law 111-322 (December 22, 2010), as extended by Public Law 113-6 (April 5, 2013), the Executive Order provides that the 2013 pay rates for civilian employee pay schedules covered by the order are not adjusted and remain at 2010 levels.

Schedule 1 of Executive Order 13641 provides the rates for the 2013 General Schedule (GS) and reflects no increase from 2010. Executive Order 13641 also includes the percentage amounts of the 2013 locality payments, which remain at 2010 levels except for employees in nonforeign areas where rates remain at 2012 levels. (See Section 5 and Schedule 9 of Executive Order 13641.)

The publication of this notice satisfies the requirement in section 5(b) of Executive Order 13641 that the U.S. Office of Personnel Management (OPM) publish appropriate notice of the 2013 locality payments in the **Federal Register**.

GS employees receive locality payments under 5 U.S.C. 5304. Locality payments apply in the United States (as defined in 5 U.S.C. 5921(4)) and its territories and possessions. In 2013, locality payments ranging from 14.16 percent to 35.15 percent apply to GS employees in the 34 locality pay areas. The 2013 locality pay area definitions can be found at <http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2013/locality-pay-area-definitions/>.

The 2013 locality pay percentages became effective on the first day of the first pay period beginning on or after January 1, 2013 (January 13, 2013). An employee's locality rate of pay is

computed by increasing his or her scheduled annual rate of pay (as defined in 5 CFR 531.602) by the applicable locality pay percentage. (See 5 CFR 531.604 and 531.609.) As provided under the Nonforeign Area Retirement Equity Assurance Act of 2009 (subtitle B of title XIX of the National Defense Authorization Act for Fiscal Year 2010 (Pub. L. 111-84, October 28, 2009)), the locality rate for each nonforeign area was set at the full applicable locality rate in January 2012. Employees in nonforeign areas entitled to cost-of-living allowances (COLAs) (i.e., Alaska, Hawaii, and other nonforeign areas as defined in 5 CFR 591.207) had corresponding reductions in their COLAs when locality rates increased.

Executive Order 13641 documents that the Executive Schedule rates of pay remain at the 2010 levels. By law, Executive Schedule officials are not authorized to receive locality payments.

Executive Order 13641 documents the 2013 range of rates of basic pay for members of the Senior Executive Service (SES) under 5 U.S.C. 5382. The minimum rate of basic pay for the SES remains at \$119,554 in 2013. The maximum rate of the SES rate range continues to be \$179,700 (level II of the Executive Schedule) for SES members covered by a certified SES performance appraisal system and \$165,300 (level III of the Executive Schedule) for SES members covered by an SES performance appraisal system that has not been certified.

The minimum rate of basic pay for the senior-level (SL) and scientific and professional (ST) rate range remains at \$119,554 in 2013. The applicable maximum rate of the SL/ST rate range continues to be \$179,700 (level II of the Executive Schedule) for SL or ST employees covered by a certified SL/ST performance appraisal system and \$165,300 (level III of the Executive Schedule) for SL or ST employees covered by an SL/ST performance appraisal system that has not been certified. Agencies with certified performance appraisal systems in 2013 for SES members and employees in SL and ST positions also must apply a higher aggregate limitation on pay—up to the Vice President's salary (\$230,700 in 2013, the same level as in 2010).

Executive Order 13641 provides that the rates of basic pay for administrative law judges (ALJs) under 5 U.S.C. 5372 are not increased in 2013. The rate of basic pay for AL-1 remains at \$155,500 (equivalent to the rate for level IV of the Executive Schedule). The rate of basic pay for AL-2 remains at \$151,800. The rates of basic pay for AL-3/A through

3/F continue to range from \$103,900 to \$143,700.

The rates of basic pay for members of Contract Appeals Boards are calculated as a percentage of the rate for level IV of the Executive Schedule. (See 5 U.S.C. 5372a.) Therefore, these rates of basic pay are not increased in 2013.

On November 30, 2012, the Director of OPM issued a memorandum on behalf of the President's Pay Agent (the Secretary of Labor and the Directors of the Office of Management and Budget (OMB) and OPM) that continues GS locality payments for ALJs and certain other non-GS employee categories in 2013. By law, officials paid under the Executive Schedule, SES members, employees in SL/ST positions, and employees in certain other equivalent pay systems are not authorized to receive locality payments. (**Note:** An exception applies to certain grandfathered SES, SL, and ST employees stationed in a nonforeign area on January 2, 2010.) The locality payments continued for non-GS employees have not been increased in 2013. The memo is available at <http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2013/continuationlocalitypayments.pdf>.

On April 5, 2013, OPM issued a memorandum (CPM 2013-05) on the continued freeze on pay adjustments for Federal civilian employees. (See <http://www.chcoc.gov/transmittals/TransmittalDetails.aspx?TransmittalID=5396>.) The memorandum provided guidance to assist agencies in implementing the pay freeze extension. The "2013 Salary Tables" posted on OPM's Web site at <http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/> are the official rates of pay for affected employees and are hereby incorporated as part of this notice.

U.S. Office of Personnel Management.

Elaine Kaplan,
Acting Director.

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POSTAL REGULATORY COMMISSION

[Docket No. CP2013-67; Order No. 1749]

New Postal Product

AGENCY: Postal Regulatory Commission.
ACTION: Notice

SUMMARY: The Commission is noticing a recently filed Postal Service request to add an additional negotiated service agreement with the Global Expedited Package Services (GEPS 3) product. This

notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* June 21, 2013.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, at 202-789-6820.

SUPPLEMENTARY INFORMATION:

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I. Introduction

On June 13, 2013, the Postal Service filed a notice announcing that it has entered into an additional Global Expedited Package Services (GEPS) 3 negotiated service agreement (Agreement).¹ The Postal Service seeks inclusion of the Agreement within the GEPS 3 product. Notice at 2.

II. Background

The Commission approved the addition of GEPS to the competitive product list as a result of consideration of Governors' Decision No. 08-7 in Docket No. CP2008-5.² The Commission later added GEPS 3 to the competitive product list, and authorized the agreement filed in Docket No. CP2010-71 to serve as the baseline agreement for purposes of considering the potential functional equivalence of other agreements.³

The instant Agreement is the successor to the agreement approved in Docket No. CP2012-30, and is with the same customer. *Id.* at 3. The Agreement is intended to take effect July 1, 2013, following the June 30, 2013 expiration of the current agreement.⁴ *Id.* It is set to expire 1 year after its effective date. *Id.*

¹ Notice of United States Postal Service of Filing a Functionally Equivalent Global Expedited Package Services 3 Negotiated Service Agreement and Application for Non-Public Treatment of Materials Filed Under Seal, June 13, 2013 (Notice).

² See Docket No. CP2008-5, Order No. 86, Order Concerning Global Expedited Package Services Contracts, June 27, 2008.

³ See Docket Nos. MC2010-28 and CP2010-71, Order No. 503, Order Approving Global Expedited Package Services 3 Negotiated Service Agreement, July 29, 2010.

⁴ The Commission recently granted a brief extension of the Docket No. CP2012-30 agreement

III. Contents of Filing

The Notice includes the following attachments:

- Attachment 1—a redacted copy of the Agreement;
- Attachment 2—a redacted copy of the certified statement required by 39 CFR 3015.5(c)(2);
- Attachment 3—a redacted copy of Governors' Decision No. 08-7, which establishes prices and classifications for Global Expedited Package Services Contracts; and
- Attachment 4—an application for non-public treatment of materials to be filed under seal.

Materials filed under seal include unredacted copies of the Agreement, the certified statement, and supporting financial workpapers. *Id.* The Postal Service filed redacted versions of the financial workpapers as public Excel files.

The Notice addresses reasons why the Postal Service believes the Agreement is functionally equivalent to the GEPS 3 baseline agreement, notwithstanding differences in two of the introductory ("Whereas") paragraphs of the Agreement; revisions to existing articles; and new, deleted, and renumbered articles. *Id.* at 3-7. The Notice also identifies the addition of an Annex 2. *Id.* at 6. The Postal Service states that these differences do not affect either the fundamental service being offered under the Agreement or its fundamental structure. *Id.* at 7.

The Postal Service states that for the reasons discussed in the Notice and as demonstrated by the financial data filed under seal, it has established that the Agreement is in compliance with the requirements of 39 U.S.C. 3633 and that the Agreement is functionally equivalent to Docket No. CP2010-71. *Id.* The Postal Service therefore asks that the Commission add the Agreement to the GEPS 3 product. *Id.*

III. Commission Action

The Commission establishes Docket No. CP2013-67 for consideration of matters raised by the Notice. Interested persons may submit comments on whether the Agreement is consistent with the policies of 39 U.S.C. 3632, 3633, or 3642. Comments are due no later than June 21, 2013. The public portions of the Postal Service's filing can be accessed via the Commission's Web site, <http://www.prc.gov>. Information on how to obtain access to

(from June 10, 2013 to June 30, 2013). The extension was based on the understanding a successor agreement would be filed. See Docket No. CP2012-30, Order No. 1731, Order Granting Motion for Temporary Relief, May 24, 2013.

non-public material is appears at 39 CFR part 3007.

The Commission appoints Curtis E. Kidd to serve as Public Representative in Docket No. CP2013-67.

It is ordered:

1. The Commission establishes Docket No. CP2013-67 for consideration of matters raised in the Postal Service's Notice.

2. Comments by interested persons in these proceedings are due no later than June 21, 2013.

3. Pursuant to 39 U.S.C. 505, Curtis E. Kidd is appointed to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in Docket No. CP2013-67.

4. The Secretary shall arrange for publication of this order in the **Federal Register**.

By the Commission.

Shoshana M. Grove,
Secretary.

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SECURITIES AND EXCHANGE COMMISSION

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549-0213.

Extension:

Rule 15c3-1, SEC File No. 270-197, OMB Control No. 3235-0200.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) ("PRA"), the Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget ("OMB") a request for approval of extension of the previously approved collection of information provided for in Rule 15c3-1 (17 CFR 240.15c3-1) under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*).

Rule 15c3-1 requires brokers-dealers to have at all times sufficient liquid assets to meet their current liabilities, particularly the claims of customers. The rule facilitates the monitoring of the financial condition of broker-dealers by the Commission and the various self-regulatory organizations. It is estimated that broker-dealer respondents registered with the Commission and subject to the collection of information requirements of Rule 15c3-1 incur an aggregate annual burden of 58,926 hours