

within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

**List of Subjects**

*40 CFR Part 52*

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental regulations, Reporting and recordkeeping requirements.

*40 CFR Part 81*

Air pollution control, National parks, Wilderness areas.

**Authority:** 42 U.S.C. 7401–7671q.

Dated: November 20, 2003.

**Laura Yoshii,**

*Acting Regional Administrator, Region IX.*

■ Parts 52 and 81, chapter I, title 40 of the Code of Federal Regulations are amended as follows:

**PART 52—[AMENDED]**

■ 1. The authority citation for part 52 continues to read as follows:

**Authority:** 42 U.S.C. 7401–7671q.

**Subpart DD—Nevada**

■ 2. Section 52.1470 is amended by adding paragraph (c)(45) to read as follows:

**§ 52.1470 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

(45) The following plan was submitted on October 27, 2003, by the Governor’s designee.

(i) Incorporation by reference.

A. Carbon Monoxide Redesignation Request and Limited Maintenance Plan for the Nevada Side of the Lake Tahoe Basin, dated October 2003, adopted by the State Environmental Commission on September 18, 2003.

(1) Attainment year (2001) emissions inventory, monitoring network and verification of continued attainment, and contingency plan, including commitments to follow maintenance plan contingency procedures by the Nevada Division of Environmental Protection, the Tahoe Metropolitan Planning Organization, the Nevada Department of Transportation, and the Washoe County District Health Department.

B. Letter of October 27, 2003, from the Nevada Division of Environmental Protection, transmitting the redesignation request and maintenance plan for the Lake Tahoe Nevada CO nonattainment area and including a State commitment to track CO

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concentrations and to adopt, submit as a SIP revision, and implement expeditiously any and all measures to achieve the level of CO emissions reductions needed to maintain the CO NAAQS in the event that an exceedance of the CO NAAQS is monitored, and to work with the involved jurisdictions to ensure that sufficient measures are adopted and implemented in a timely fashion to prevent a violation.

C. Additional material—Addendum to the October 27, 2003 letter of transmittal of the redesignation request and maintenance plan: emissions projections for on-road motor vehicles through 2016.

■ Part 81 of chapter I, title 40 of the Code of Federal Regulations is amended as follows:

**PART 81—[AMENDED]**

■ 1. The authority citation for part 81 continues to read as follows:

**Authority:** 42 U.S.C. 7401–7671q.

**Subpart C—Section 107 Attainment Status Designations**

■ 2. In § 81.329 the carbon monoxide table is amended by revising the entry for the Lake Tahoe Nevada Area to read as follows:

**§ 81.329 Nevada.**

\* \* \* \* \*

Designated area	Designation		Classification	
	Date <sup>1</sup>	Type	Date <sup>1</sup>	Type
Lake Tahoe Nevada Area Hydrographic Area 90 Carson City County (part) Douglas County (part) Washoe County (part).	February 13, 2004 .....	Attainment		
*	*	*	*	*

<sup>1</sup> This date is November 15, 1990, unless otherwise noted.

\* \* \* \* \*

[FR Doc. 03–30369 Filed 12–12–03; 8:45 am]

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**GENERAL SERVICES ADMINISTRATION**

**41 CFR Part 301–10**

[FTR Amendment 2003–06; FTR Case 2003–308]

RIN 3090–AH89

**Federal Travel Regulation; Privately Owned Vehicle Mileage Reimbursement**

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

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the mileage reimbursement rate for use of a privately owned vehicle (POV) on official travel to reflect current costs of operation as determined in cost studies conducted by the General Services Administration (GSA). The governing regulation is revised to increase the mileage allowance for advantageous use of a privately owned airplane from 95.5 to 99.5 cents per mile, the cost of operating a privately owned automobile from 36.0 to 37.5 cents per mile, and the cost of operating a privately owned motorcycle from 27.5 to 28.5 cents per mile.

**DATES:** *Effective Date:* January 1, 2004.

*Applicability Date:* This final rule applies to travel performed on or after January 1, 2004.

**FOR FURTHER INFORMATION CONTACT:** The Regulatory Secretariat, Room 4035, GS Building, Washington, DC, 20405, (202) 208-7312, for information pertaining to status or publication schedules. For clarification of content, contact Devoanna R. Reels, Program Analyst, Office of Governmentwide Policy, Travel Management Policy, at (202) 501-3781. Please cite FTR Amendment 2003-06, FTR case 2003-308.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

Pursuant to 5 U.S.C. 5707(b), the Administrator of General Services has the responsibility to establish the privately owned vehicle (POV) mileage reimbursement rates. Separate rates are set for airplanes, automobiles (including trucks), and motorcycles. In order to set these rates, GSA is required to conduct periodic investigations, in consultation with the Secretaries of Defense and Transportation, and representatives of Government employee organizations, of the cost of travel and the operation of POVs to employees while engaged on official business. As required, GSA conducted an investigation of the costs of operating a POV and is reporting the cost per mile determination. The results of the investigation have been reported to Congress, and a copy of the report appears as an attachment to this document. GSA's cost studies show the Administrator of General Services has determined the per-mile operating costs of a POV to be 99.5 cents for airplanes, 37.5 cents for automobiles, and 28.5 cents for motorcycles. As provided in 5 U.S.C. 5704(a)(1), the automobile reimbursement rate cannot exceed the single standard mileage rate established by the Internal Revenue Service (IRS). The IRS has announced a new single standard mileage rate for automobiles of 37.5 cents effective January 1, 2004. Additionally, based on updated data for the two-tiered reimbursement rates reflecting costs to an agency of operating a Government-furnished vehicle (GFV), the current reimbursement rate for use of a POV when a GFV is authorized decreased from 28.5 cents per mile to 27.0 cents per mile. The current reimbursement rate of 10.5 cents per mile for use of a POV by an employee when committed to use a Government automobile will remain the same.

**B. Executive Order 12866**

This is not a significant regulatory action and, therefore, was not subject to

review under section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

**C. Regulatory Flexibility Act**

This final rule is not required to be published in the **Federal Register** for notice and comment; therefore, the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, does not apply.

**D. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply because the changes to the FTR do not impose recordkeeping or information collection requirements, or the collection of information from offerors, contractors, or members of the public that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

**E. Small Business Regulatory Enforcement Fairness Act**

This final rule is also exempt from congressional review prescribed under 5 U.S.C. 801 since it relates solely to agency management and personnel.

**List of Subjects in 41 CFR Part 301-10**

Government employees, Travel and transportation expenses.

Dated: December 8, 2003.

**Stephen A. Perry,**

*Administrator of General Services.*

■ For the reasons set forth in the preamble, under 5 U.S.C. 5701-5709, GSA amends 41 CFR part 301-10 as set forth below:

**PART 301-10—TRANSPORTATION EXPENSES**

■ 1. The authority citation for 41 CFR part 301-10 is revised to read as follows:

**Authority:** 5 U.S.C. 5707; 40 U.S.C. 121(c); 49 U.S.C. 40118.

■ 2. In § 301-10.303 revise the last three entries in the table to read as follows:

**§ 301-10.303 What am I reimbursed when use of a POV is determined by my agency to be advantageous to the Government?**

For use of a	Your reimbursement is
* * *	* * *
Privately owned airplane ....	199.5
Privately owned automobile	137.5
Privately owned motorcycle	128.5

<sup>1</sup> Cents per mile.

■ 3. Amend § 301-10.310 in paragraph (a) by removing "28.5" and adding "27.0" in its place.

**Attachment to Preamble—Report to Congress on the Costs of Operating Privately Owned Vehicle Mileage Reimbursement**

Paragraph (b)(1)(A) of section 5707 of Title 5, United States Code, requires that the Administrator of General Services, in consultation with the Secretaries of Defense and Transportation, and representatives of Government employee organizations, conduct periodic investigations of the cost of travel and the operation of privately owned vehicles (POVs) (airplanes, automobiles, and motorcycles) to Government employees while on official business and report the results to Congress at least once a year. Paragraph (b)(2)(B) of section 5707 of Title 5, United States Code, further requires that the Administrator of General Services determine the average, actual cost per mile for the use of each type of POV based on the results of the cost investigation. Such figures must be reported to Congress within 5 working days after the cost determination has been made in accordance with 5 U.S.C. 5707(b)(2)(C).

Pursuant to the requirements of paragraph (b)(1)(A) of section 5707 of Title 5, United States Code, the General Services Administration (GSA), in consultation with the Secretaries of Defense and Transportation, and representatives of Government employee organizations, conducted an investigation of the cost of operating a privately owned automobile. As provided in 5 U.S.C. 5704(a)(1), the automobile reimbursement rate cannot exceed the single standard mileage rate established by the Internal Revenue Service (IRS). The IRS has announced a new single standard mileage rate for automobiles of 37.5 cents effective January 1, 2004.

As required, GSA is reporting the results of the investigation and the cost per mile determination. Based on cost studies conducted by GSA, I have determined the per-mile operating costs of a POV to be 99.5 cents for airplanes, 37.5 cents for automobiles, and 28.5 cents for motorcycles.

I will issue a regulation to increase the current 95.5 to 99.5 cents for privately owned airplanes, 36.0 to 37.5 cents for privately owned automobiles, and 27.5 to 28.5 cents for privately owned motorcycles. This report to Congress on the cost of operating POVs will be published in the **Federal Register**.

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**42 CFR Part 52a**

**RIN 0925-AA24**

**National Institutes of Health Center Grants**

**AGENCY:** National Institutes of Health, Department of Health and Human Services.

**ACTION:** Final rule.

**SUMMARY:** The National Institutes of Health (NIH) is amending its regulations