

relationship between the Federal Government and the Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes." This rule will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this rule.

**VIII. Congressional Review Act**

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of this final rule in the **Federal Register**. This final rule is not a "major rule" as defined by 5 U.S.C. 804(2).

**List of Subjects in 40 CFR Part 180**

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: September 10, 2004.

**Lois Rossi,**

*Director, Registration Division, Office of Pesticide Programs.*

■ Therefore, 40 CFR chapter I is amended as follows:

**PART 180—AMENDED**

■ 1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 321(q), 346a and 371.

■ 2. Section 180.451 is revised to read as follows:

**§ 180.451 Tribenuron methyl; tolerances for residues.**

(a) *General.* Tolerances are established for the residues of the herbicide tribenuron methyl (methyl-2-[[[N-(4-methoxy-6-methyl-1,3,5-triazin-2-yl) methylamino] carbonyl]amino]sulfonyl] benzoate) in or on the following raw agricultural commodities:

Commodity	Parts per million
Barley, grain .....	0.05
Barley, straw .....	0.10
Canola, seed .....	0.02
Cotton, gin byproducts .....	0.02
Cotton, undelinted seed .....	0.02
Flax, seed .....	0.02
Oat, grain .....	0.05
Oat, straw .....	0.10
Wheat, grain .....	0.05
Wheat, straw .....	0.10

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* Tolerances with regional registration, as defined in § 180.1(n) are established for residues of the herbicide tribenuron methyl (methyl-2-[[[N-(4-methoxy-6-methyl-1,3,5-triazin-2-yl) methylamino] carbonyl]amino]sulfonyl] benzoate) in or on the following raw agricultural commodities:

Commodity	Parts per million
Grass, forage, fodder and hay, group (except Bermudagrass); forage .....	0.10
Grass, forage, fodder and hay, group (except Bermudagrass); hay .....	0.10

(d) *Indirect or inadvertent residues.* [Reserved]

[FR Doc. 04-20982 Filed 9-21-04; 8:45 am]

**BILLING CODE 6560-50-S**

**CORPORATION FOR NATIONAL AND COMMUNITY SERVICE**

**45 CFR Parts 2552 and 2553**

**Senior Corps**

**AGENCY:** Corporation for National and Community Service.

**ACTION:** Final rule; correction.

**SUMMARY:** The Corporation for National and Community Service (hereinafter the "Corporation") hereby amends its regulations for the Senior Corps. These amendments make technical corrections to the final rules issued on April 14, 2004, for the Foster Grandparent Program and on April 19, 2004, for the Retired and Senior Volunteer Program. Two amendments herein provide technical corrections to the Foster Grandparent Program and Retired and Senior Volunteer Program regulations to ensure consistency concerning the allowability of volunteer expenses among the Foster Grandparent, Retired and Senior Volunteer, and Senior Companion Programs and bring them in

line with the corresponding provision for the Senior Companion Program, as it was amended on April 19, 2004. The third amendment deletes one sentence in the Retired and Senior Volunteer Program regulations so as to ensure consistency throughout the entire section.

**DATES:** These changes are effective as of September 22, 2004.

**FOR FURTHER INFORMATION CONTACT:** Mr. Peter Boynton at (202) 606-5000, ext. 499 or by e-mail: *pboynton@cns.gov*.

**List of Subjects**

*45 CFR Part 2552*

Aged, Grant programs—social programs, Volunteers.

*45 CFR Part 2553*

Aged, Grant programs—social programs, Volunteers.

■ For the reasons discussed in the Summary, the Corporation for National and Community Service amends 45 CFR parts 2552 and 2553 as follows:

**PART 2552—FOSTER GRANDPARENT PROGRAM**

■ 1. The authority citation for part 2552 continues to read as follows:

**Authority:** 42 U.S.C. 4950 *et seq.*

■ 2. In § 2552.45, revise paragraph (f) to read as follows:

**§ 2552.45 What cost reimbursements are provided to Foster Grandparents?**

\* \* \* \* \*

(f) *Other volunteer expenses.* Foster Grandparents may be reimbursed for expenses incurred while performing their volunteer assignments, provided these expenses are described in the Memorandum of Understanding negotiated with the volunteer station to which the volunteer is assigned and there are sufficient funds available to cover these expenses and meet all other requirements identified in the notice of grant award.

**PART 2553—RETIRED AND SENIOR VOLUNTEER PROGRAM**

■ 3. The authority citation for part 2553 continues to read as follows:

**Authority:** 42 U.S.C. 4950 *et seq.*

■ 4. In § 2553.43, remove the last sentence of paragraph (a) and revise paragraph (e) to read as follows:

**§ 2553.43 What cost reimbursements are provided to RSVP volunteers?**

\* \* \* \* \*

(e) *Other volunteer expenses.* RSVP volunteers may be reimbursed for

expenses incurred while performing their volunteer assignments, provided these expenses are described in the Memorandum of Understanding negotiated with the volunteer station and there are sufficient funds available to cover these expenses and meet all other requirements identified in the notice of grant award.

Dated: September 14, 2004.

**Tess Scannell,**

*Director, Senior Corps.*

[FR Doc. 04-21235 Filed 9-21-04; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 635**

[I.D. 091604A]

**Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Atlantic bluefin tuna retention limit adjustment.

**SUMMARY:** NMFS has determined that the Atlantic bluefin tuna (BFT) General category daily retention limit should be adjusted to allow for maximum utilization of the U.S. landings quota of BFT, while maintaining a fair distribution of fishing opportunities. Therefore, NMFS increases the daily retention limit to provide increased opportunities to harvest the General category quota.

**DATES:** The effective dates for the daily retention limits specified in this rule are provided in Table 1 under

**SUPPLEMENTARY INFORMATION.**

**FOR FURTHER INFORMATION CONTACT:** Brad McHale, 978-281-9260.

**SUPPLEMENTARY INFORMATION:**

Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*) governing the harvest of BFT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 635. Section 635.27 subdivides the U.S. BFT quota recommended by the International Commission for the

Conservation of Atlantic Tunas (ICCAT) among the various domestic fishing categories, and General category effort controls (including time-period sub-quotas) are specified annually under the procedures identified at 50 CFR 635.23(a) and 635.27(a). NMFS is in the process of establishing the 2004 annual BFT quota specifications and in the meantime, sufficient General category quota is available for 2004 per the 2002 recommendation from ICCAT.

**Adjustment of Daily Retention Limit**

NMFS is increasing the General category daily retention limit effective from September 20, 2004, through October 20, 2004, inclusive, to two large medium or giant BFT per vessel (see Table 1). Under § 635.23(a)(4), NMFS may increase or decrease the General category daily retention limit of large medium and giant BFT over a range from zero to three per vessel to allow for maximum utilization of the quota for BFT. Based on a review of dealer reports, daily landing trends, available quota, and the availability of BFT on the fishing grounds, NMFS has determined that an increase of the daily retention limit from September 20, 2004, through October 20, 2004, inclusive, is appropriate and necessary.

TABLE 1—DAILY RETENTION LIMITS

Category	Effective Date	Areas	BFT Size Class Limit
General	September 20, 2004–October 20, 2004	All	Two BFT per vessel, measuring 73 inches (185 cm) curved fork length or larger
	October 21, 2004–January 31, 2005	All	One BFT per vessel, measuring 73 inches (185 cm) curved fork length or larger

Current catch rates in the General category amount to approximately 0.5 metric tons (mt) per day. Current catch rates are lower than the low landings rates that occurred at this time last year when it was also determined that the daily retention should be increased. In combination with a quota rollover from the previous sub-period, the current 2004 landing rate would not lead to harvest of the full September sub-quota, and would result in an excessive quota rollover into the next sub-period. Adding an excessive amount of unused quota from one time-period sub-quota to the subsequent time-period sub-quota is undesirable because it effectively changes the time-period sub-quota allocation percentages established in the Fishery Management Plan for Atlantic Tunas, Swordfish, and Sharks (HMS FMP). This issue has been discussed

extensively during public comment periods for annual quota specifications and during HMS Advisory Panel meetings. This adjustment, which will be in effect for approximately 30 days, is scheduled for approximately the same time period when catch rates increased in New England in 2003. Catch rates for the regional New England fishery are expected to increase during the limited time period this adjustment is in effect. BFT are expected to begin the annual southward migration at approximately the time the retention limit is reduced (October 21, 2004) and by reverting to a retention limit of one fish per vessel per day, sub-period quota for subsequent regional fisheries will be maintained. Experience in prior years has shown that similar adjustments to the General category retention limit had

positive impacts on the fishery and favorable public response.

The intent of this adjustment is to allow for maximum utilization of the U.S. landings quota of BFT (specified under 50 CFR 635.27(a)) while maintaining a fair distribution of fishing opportunities, to help achieve optimum yield in the General category fishery, to collect a broad range of data for stock monitoring purposes, and to be consistent with the objectives of the HMS FMP.

The default daily General category retention limit of one large medium or giant BFT (specified at 50 CFR 635.23(a)(2)), will apply to all vessels fishing under the General category quota effective October 21, 2004, through the remainder of the General category fishery, which ends January 31, 2005 (see Table 1).