

The final rule, published in the **Federal Register** on June 27, 2007 (72 FR 35187) clearly limited the scope of the rule to CONUS relocations. Research since that date, in response to an inquiry from the Department of Defense (DoD), has shown that this was a mistake. Therefore, this new final rule removes any reference to CONUS from section 302-4.300 of the FTR and allows for this rate to be applied worldwide. The FTR also will authorize actual expense for these expenses.

B. Summary of the Issues Involved

This final rule corrects an inadvertent error, and allows for the reimbursement of OCONUS relocation mileage at either the mileage rate specified in FTR section 302-4.300 or actual expense under new section 302-4.304. In addition, FTR section 302-4.302 currently allows an agency to authorize a higher mileage reimbursement rate for OCONUS relocations utilizing a POV under certain circumstances. Thus, agencies will have three choices for reimbursing an OCONUS relocation mileage reimbursement rate for POV usage. Each agency through its internal policy, must decide what form its relocation mileage reimbursement rate will take. But, before any agencies can have a legitimately based OCONUS rate, GSA must change the wording of the June 27, 2007 final rule to allow agencies to use the IRS rate worldwide.

C. Changes to Current FTR

This final rule revises section 302-4.300 of the FTR to reflect the Internal Revenue Service Standard Mileage Rate for relocation by POV and adds section 302-4.304 allowing for actual expense.

D. Executive Order 12866

This regulation is excepted from the definition of "regulation" or "rule" under Section 3(d)(3) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993 and, therefore, was not subject to review under Section 6(b) of that executive order.

E. 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.

F. 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 302-4

Government employees, Relocation, Travel and transportation expenses.

Dated: September 27, 2007.

Lurita Doan,

Administrator of General Services.

■ For the reasons set out in this preamble, 41 CFR part 302-4 is amended as set forth below:

PART 302-4—ALLOWANCES FOR SUBSISTENCE AND TRANSPORTATION

■ 1. The authority citation for 41 CFR part 302-4 continues to read as follows:

Authority: 5 U.S.C. 5738; 20 U.S.C. 905(a); E.O. 11609, 36 FR 13747, 3 CFR, 1971-1973 Comp., p. 586.

■ 2. Revise § 302-4.300 to read as follows:

§ 302-4.300 What is the POV mileage rate for PCS travel?

For approved/authorized PCS travel by POV, the mileage reimbursement rate is the same as the moving expense mileage rate established by the Internal Revenue Service (IRS) for moving expense deductions. See IRS guidance available on the Internet at www.irs.gov. GSA publishes the rate for mileage reimbursement in an FTR Bulletin on an intermittent basis. You may find the FTR Bulletins at www.gsa.gov/relo.

■ 3. Add § 302-4.304 to read as follows:

§ 302-4.304 For relocation outside the continental United States (OCONUS), may my agency allow actual expense reimbursement instead of the POV mileage rate for PCS travel?

Yes, for an OCONUS relocation involving POV usage, your agency may allow reimbursement of certain actual expenses of using the POV (*i.e.*, fuel plus the additional expenses listed in § 301-10.304).

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 061109296-7009-02]

RIN 0648-XE18

Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer

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

ACTION: Temporary rule; inseason quota transfer.

SUMMARY: NMFS announces that the State of Maine and the State of Maryland are transferring commercial bluefish quota to the State of Rhode Island from their 2007 quotas. By this action, NMFS adjusts the quotas and announces the revised commercial quota for each state involved.

DATES: Effective December 6, 2007, through December 31, 2007.

FOR FURTHER INFORMATION CONTACT: Emily Bryant, Fishery Management Specialist, (978) 281-9244, fax (978) 281-9135.

SUPPLEMENTARY INFORMATION:

Regulations governing the Atlantic bluefish fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota that is apportioned among the coastal states from Florida through Maine. The process to set the annual commercial quota and the percent allocated to each state is described in § 648.160.

Two or more states, under mutual agreement and with the concurrence of the Administrator, Northeast Region, NMFS (Regional Administrator), can transfer or combine bluefish commercial quota under § 648.160(f). The Regional Administrator is required to consider the criteria set forth in § 648.160(f)(1) in the evaluation of requests for quota transfers or combinations.

Maine and Maryland have agreed to transfer 25,000 lb (11,340 kg) and 50,000 lb (22,680 kg), respectively, of their 2007 commercial quotas to Rhode Island. The Regional Administrator has determined that the criteria set forth in § 648.160(f)(1) have been met. The revised bluefish quotas for calendar year 2007 are: Rhode Island, 738,790 lb (335,110 kg); Maine, 32,323 lb (14,661 kg); and Maryland, 207,403 lb (94,076 kg).

Classification

This action is taken under 50 CFR part 648 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: December 5, 2007.

Emily H. Menashes,
*Acting Director, Office of Sustainable
Fisheries, National Marine Fisheries Service.*
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