

meets any of the aggregate oil storage capacity thresholds of § 112.1 of this part.

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## GENERAL SERVICES ADMINISTRATION

### 41 CFR Parts 301-10, 301-11, 301-50, 301-73, and Appendix D to Chapter 301

[FTR Amendment 2010-05; FTR Case 2010-306; Docket Number 2010-0018, Sequence 1]

RIN 3090-AJ08

### Federal Travel Regulation (FTR); Lodging and Transportation Amendment

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

**ACTION:** Final rule.

**SUMMARY:** The General Services Administration (GSA) is amending the Federal Travel Regulation (FTR) by revising and updating its policy on lodging and transportation. This final rule also updates an acronym and references to such in the FTR.

**DATES:** *Effective Date:* This final rule is effective November 15, 2010.

**FOR FURTHER INFORMATION CONTACT:** The Regulatory Secretariat (MVCB), Room 4041, GS Building, Washington, DC, 20405, (202) 501-4755, for information pertaining to status or publication schedules. For clarification of content, contact Ms. Cheryl D. McClain, Office of Governmentwide Policy (OGP), at (202) 208-4334 or e-mail at [cheryl.mcclain@gsa.gov](mailto:cheryl.mcclain@gsa.gov). Please cite FTR Amendment 2010-05; FTR case 2010-306.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

GSA's Office of Governmentwide Policy (OGP) is updating the Federal Travel Regulation (FTR) by removing section 301-50.8. Section 301-50.8 contains language regarding limitations on travel arrangements for common carriers, commercial lodging, and car rental usage. Consequently, parts 301-10 and 301-11 will be revised to include the language pertaining to common carriers, commercial lodging and car rental accommodations. Specifically, OGP is revising section 301-10.105 regarding the basic requirements for using common carrier

transportation and revising section 301-10.450 to provide guidance to travelers regarding renting vehicles under the Defense Travel Management Office's (DTMO) U.S. Government Car Rental Agreement. Also, section 301-11.11 is being revised to provide guidance to travelers who choose to obtain commercial lodging under a Government lodging agreement.

This final rule also updates references in section 301-73.106 and Appendix D to Chapter 301 to change "Surface Deployment Distribution Command" (SDDC) to "Defense Travel Management Office" (DTMO).

##### 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 final rule is not a major rule under 5 U.S.C. 804.

##### C. Regulatory Flexibility Act

This final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the revisions are not considered substantive. This final rule is also exempt from the Regulatory Flexibility Act per 5 U.S.C. 553(a)(2) because it applies to agency management or personnel. However, this final rule is being published to provide transparency in the promulgation of Federal policies.

##### D. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the final 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 to agency management and personnel.

#### List of Subjects in 41 CFR Parts 301-10, 301-11, 301-50, 301-73, and Appendix D to Chapter 301

Government employees, Lodging and transportation programs.

Dated: August 25, 2010.

**Martha Johnson,**

*Administrator of General Services.*

For the reasons set forth in the preamble, under 5 U.S.C. 5701-5709,

GSA amends 41 CFR parts 301-10, 301-11, 301-50, 301-73, and Appendix D of Chapter 301 as set forth below:

### PART 301-10—TRANSPORTATION EXPENSES

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

**Authority:** 5 U.S.C. 5707, 40 U.S.C. 121(c), 49 U.S.C. 40118, OMB Circular No. A-126, revised May 22, 1992.

■ 2. Remove the undesignated center heading "Airline" that appears immediately before § 301-10.105.

■ 3. Revise § 301-10.105 to read as follows:

#### § 301-10.105 What are the basic requirements for using common carrier transportation?

The basic requirements for using common carrier transportation fall into three categories:

(a) Using contract carriers, when available, and if your agency is a mandatory user of GSA's city-pair contracts for air passenger transportation services, unless you have an approved exception (*see* §§ 301-10.106 through 301-10.108 of this subpart);

(b) Using coach-class service, unless other than coach-class service is authorized under § 301-10.123 or § 301-10.162, and when travelling by ship, using lowest first-class accommodations, unless other than lowest first-class accommodations are authorized under § 301-10.183 of this subpart; and

(c) You must always use U.S. Flag Air Carrier (or ship) service for air passenger transportation or when travelling by ship, unless your travel circumstances meet one of the exceptions in §§ 301-10.135 through 301-10.138 or § 301-10.183 of this subpart.

■ 4. Amend § 301-10.450 by revising the section heading, designating the existing paragraph as paragraph (a), and adding paragraph (b) to read as follows:

#### § 301-10.450 When and from whom may I rent a vehicle for official travel when authorized?

\* \* \* \* \*

(b) When authorized to use a rental vehicle, you should consider renting a vehicle from a vendor that participates in the Defense Travel Management Office (DTMO) U.S. Government Car Rental Agreement to avail yourself of the Agreement's benefits, including the insurance and damage liability provisions, unless you are OCONUS and no agreement is in place for your TDY

location. The advantages of renting a car through the DTMO rental car program are:

- (1) Rental car agreements are pre-negotiated;
- (2) The agreement includes automatic unlimited mileage and collision damage insurance; and
- (3) The rates established by the car rental agreement cannot be exceeded by the vendor.

#### **PART 301-11—PER DIEM EXPENSES**

■ 5. The authority citation for 41 CFR part 301-11 continues to read as follows:

**Authority:** 5 U.S.C. 5707.

■ 6. Revise § 301-11.11 to read as follows:

##### **§ 301-11.11 How do I select lodging and make lodging reservations?**

(a) You must make your lodging reservations through your agency's travel management service.

(b) You should always stay in a "fire safe" facility. This is a facility that meets the fire safety requirements of the Hotel and Motel Fire Safety Act of 1990 (the Act), as amended (*see* 5 U.S.C. 5707a).

(c) When selecting a commercial lodging facility, first consideration should be given to government lodging agreement programs such as FedRooms® (<http://www.fedrooms.com>). The advantages of obtaining lodging using the FedRooms® program are:

- (1) Lodging rates are set at or below per diem rates;
- (2) There are no add-on fees;
- (3) The room cancellation deadline is 4 p.m. (or later) on the day of arrival;
- (4) Most hotels offer last standard room availability rates;
- (5) There are no early departure fees; and
- (6) Rates are available using all booking channels (e.g., E-Gov Travel Service, Travel Management Service, FedRooms® Web site, and hotel reservation call centers). The FedRooms® rate code (XVU) must be entered to get the program benefits.

**Note to § 301-11.11:** 5 U.S.C. 5707a does not apply to the District of Columbia government.

#### **PART 301-50—ARRANGING FOR TRAVEL SERVICES**

■ 7. The authority citation for 41 CFR part 301-50 continues to read as follows:

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

##### **§ 301-50.8 [Removed]**

■ 8. Remove § 301-50.8.

#### **PART 301-73—TRAVEL PROGRAMS**

■ 9. The authority citation for 41 CFR part 301-73 continues to read as follows:

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

##### **§ 301-73.106 [Amended]**

■ 10. Amend § 301-73.106, paragraph (a)(3) by removing "Surface Deployment and Distribution Command (SDDC)" and adding "Defense Travel Management Office (DTMO)" in its place.

##### **Appendix D to Chapter 301—[Amended]**

11. Amend Appendix D to Chapter 301 by removing the entry "SDDC: Surface Deployment and Distribution Command" and alphabetically adding the entry "DTMO: Defense Travel Management Office".

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#### **DEPARTMENT OF COMMERCE**

##### **National Oceanic and Atmospheric Administration**

##### **50 CFR Part 679**

[Docket No. 0910131362-0087-02]

RIN 0648-XZ61

##### **Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska**

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS is prohibiting directed fishing for pollock in Statistical Area 610 in the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the 2010 total allowable catch (TAC) of pollock for Statistical Area 610 in the GOA.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), October 9, 2010, through 2400 hrs, A.l.t., December 31, 2010.

**FOR FURTHER INFORMATION CONTACT:** Josh Keaton, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance

with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2010 TAC of pollock in Statistical Area 610 of the GOA is 26,256 metric tons (mt) as established by the final 2010 and 2011 harvest specifications for groundfish of the GOA (75 FR 11749, March 12, 2010).

In accordance with § 679.20(d)(1)(i), the Regional Administrator has determined that the 2010 TAC of pollock in Statistical Area 610 of the GOA will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 26,156 mt, and is setting aside the remaining 100 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for pollock in Statistical Area 610 of the GOA.

After the effective date of this closure the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

##### **Classification**

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the closure of pollock in Statistical Area 610 of the GOA. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of October 7, 2010.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

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