

**PART 302-7—TRANSPORTATION AND TEMPORARY STORAGE OF HOUSEHOLD GOODS, PROFESSIONAL BOOKS, PAPERS, AND EQUIPMENT, (PBP&E) AND BAGGAGE ALLOWANCE**

■ 1. The authority citation for 41 CFR part 302-7 continues to read as follows:

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

■ 2. Revise the part heading to read as set forth above.

**§ 302-7.100 [Amended]**

■ 3. Amend § 302-7.100 in the fourth sentence, by removing the words “Household Goods Carriers’ Mileage Guide (issued by the Household Goods Carriers’ Bureau, 1611 Duke Street, Alexandria, VA 22314-3482)”.

■ 4. Revise § 302-7.101 to read as follows:

**§ 302-7.101 Where can the commuted rate schedules for the transportation of HHG and temporary storage be found?**

The commuted rate table is published at [www.gsa.gov/relocationpolicy](http://www.gsa.gov/relocationpolicy).

**§ 302-7.102 [Amended]**

■ 5. Amend § 302-7.102 by removing “the Household Goods Carriers’ Standard Mileage Guide, or a standard road atlas issued by The Household Goods Carrier’s Bureau,” and adding “you may use the tariffs filed with GSA travel management centers” in its place.

■ 6. Revise § 302-7.110 to read as follows:

**§ 302-7.110 Is there a reimbursement limit?**

Yes, reimbursement must not exceed the limits in the commuted rate table published by GSA and found at [www.gsa.gov/relocationpolicy](http://www.gsa.gov/relocationpolicy).

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**GENERAL SERVICES ADMINISTRATION**

**41 CFR Part 102-117**

[FMR Change 2013-02; FMR Case 2013-102-2; Docket No. 2013-0013; Sequence No. 1]

RIN 3090-AJ38

**Federal Management Regulation (FMR); Shipping Household Goods**

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

**ACTION:** Final rule.

**SUMMARY:** GSA is amending the Federal Management Regulation (FMR) to update information on the commuted rate schedule and correct a Web site address. Commuted rate and actual expense are two authorized methods of transporting and paying for the movement of Household Goods (HHG), Professional Books, Paper and Equipment, and temporary storage. This final rule addresses changes only to the commuted rate method. Using the commuted rate method, the individual assumes responsibility for shipment and payment. The commuted rate schedule establishes the reimbursement rate.

**DATES:** *Effective Date:* December 12, 2013.

**FOR FURTHER INFORMATION CONTACT:** For clarification of content, contact Lee Gregory, Office of Governmentwide Policy, at 202-501-1533 or by email at [lee.gregory@gsa.gov](mailto:lee.gregory@gsa.gov). Please cite FMR Case 2013-102-2. For information pertaining to status or publication schedules, contact the Regulatory Secretariat (MVCB), 1800 F Street NW., Washington, DC 20405, 202-501-4755.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

A commuted rate in household goods shipping means the reimbursement rate the Federal employee receives for moving his/her own HHG or hiring his/her own mover within the Continental United States excluding Alaska and Hawaii.

The U.S. Department of Transportation’s Surface Transportation Board (STB), in decision STB Ex Parte 656, effective January 1, 2008, terminated approval of all outstanding motor carrier bureau agreements under 49 U.S.C. 13703(c) and the agreements with the National Classification Committee (NCC). Therefore, effective January 1, 2008, the American Moving and Storage Association (AMSA) could no longer provide a standard tariff for HHG shipments. Until the STB ruling, executive agencies used the AMSA standard tariff for HHG shipments for commuted rate purposes. This standard tariff was used by agencies as the benchmark to help determine whether the agency should reimburse the full amount of the employee’s voucher.

Agencies currently use the commuted rate based on the AMSA tariff in accordance with the regulations in the Federal Management Regulation (FMR) part 102-117, subpart G (41 CFR 102-117.220 through 102-117.245) and FTR part 302-7, subpart B (41 CFR part 302-7, subpart B). Since both the FMR and FTR address the commuted rate, GSA is concurrently publishing bulletins and

amendments for the FMR and the FTR on this issue.

**B. Changes to the Current FMR**

This final rule amends FMR section 102-117.225 by:

1. Eliminating the reference to the AMSA; and
2. Updating the Web site address for the current GSA commuted rate schedule.

**C. Executive Order 12866 and Executive Order 13563**

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives, and if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action, and therefore, will not be subject to review under Section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This final rule is not a major rule under 5 U.S.C. 804.

**D. Regulatory Flexibility Act**

These revisions are minor, and 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.* This final rule is also exempt from the Administrative Procedure Act per 5 U.S.C. 553(a)(2) because it applies to agency management or personnel.

**E. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply because the changes to the Federal Management Regulation 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.*

**F. 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 or personnel.

**List of Subjects in 41 CFR Part 102-117**

Cargo, Commuted rate, Freight, Household goods, Transportation, Travel.

Dated: June 7, 2013.

**Dan Tangherlini,**

*Acting Administrator of General Services.*

For the reasons set forth in the preamble, GSA amends 41 CFR part 102–117 as set forth below:

## **PART 102–117—TRANSPORTATION MANAGEMENT**

- 1. The authority citation for part 102–117 is revised to read as follows:

**Authority:** 31 U.S.C. 3726; 40 U.S.C. 121(c); 40 U.S.C. 501, *et seq.*; 46 U.S.C. 55305; 49 U.S.C. 40118.

- 2. Amend § 102–117.225 by—  
 ■ a. Removing the last sentence in paragraph (b);  
 ■ b. Revising paragraph (c); and  
 ■ c. Removing paragraph (d).

The revised text reads as follows:

### **§ 102–117.225 What is the difference between a contract or a rate tender and a commuted rate system?**

\* \* \* \* \*

(c) Rate table information and the commuted rate schedule can be found at [www.gsa.gov/relocationpolicy](http://www.gsa.gov/relocationpolicy) or the appropriate office designated in your agency.

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## **DEPARTMENT OF HOMELAND SECURITY**

### **Federal Emergency Management Agency**

#### **44 CFR Part 64**

[Docket ID FEMA–2013–0002; Internal Agency Docket No. FEMA–8313]

#### **Suspension of Community Eligibility**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Final rule.

**SUMMARY:** This rule identifies communities where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP) that are scheduled for suspension on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will not occur and a notice of this will be provided by publication in the **Federal Register** on a

subsequent date. Also, information identifying the current participation status of a community can be obtained from FEMA's Community Status Book (CSB). The CSB is available at <http://www.fema.gov/fema/csb.shtm>.

**DATES: Effective Dates:** The effective date of each community's scheduled suspension is the third date ("Susp.") listed in the third column of the following tables.

**FOR FURTHER INFORMATION CONTACT:** If you want to determine whether a particular community was suspended on the suspension date or for further information, contact David Stearrett, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–2953.

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase Federal flood insurance that is not otherwise generally available from private insurers. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits the sale of NFIP flood insurance unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR Part 59.

Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. We recognize that some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue to be eligible for the sale of NFIP flood insurance. A notice withdrawing the suspension of such communities will be published in the **Federal Register**.

In addition, FEMA publishes a Flood Insurance Rate Map (FIRM) that identifies the Special Flood Hazard Areas (SFHAs) in these communities. The date of the FIRM, if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may be provided for construction

or acquisition of buildings in identified SFHAs for communities not participating in the NFIP and identified for more than a year on FEMA's initial FIRM for the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column. The Administrator finds that notice and public comment procedures under 5 U.S.C. 553(b), are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives 6-month, 90-day, and 30-day notification letters addressed to the Chief Executive Officer stating that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications were made, this final rule may take effect within less than 30 days.

**National Environmental Policy Act.** This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Considerations. No environmental impact assessment has been prepared.

**Regulatory Flexibility Act.** The Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, Section 1315, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless remedial action takes place.

**Regulatory Classification.** This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

**Executive Order 13132, Federalism.** This rule involves no policies that have federalism implications under Executive Order 13132.

**Executive Order 12988, Civil Justice Reform.** This rule meets the applicable standards of Executive Order 12988.

**Paperwork Reduction Act.** This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*