

James Vogelsinger, Office of Governmentwide Policy, Office of Travel, Transportation, and Asset Management (MT), (202) 501-1764 or e-mail at james.vogelsinger@gsa.gov. For information pertaining to status or publication schedules contact the Regulatory Secretariat, 1800 F Street, NW., Room 4041, Washington, DC 20405, (202) 501-4755. Please cite FMR case 2010-102-4.

SUPPLEMENTARY INFORMATION:

A. Background

Federal Management Regulation (FMR) part 102-5 was published in the **Federal Register** on September 12, 2000 (65 FR 54966) to establish policy regarding home-to-work transportation. Section 102-5.20 defines who is not covered by the policy within part 102-5. This final rule clarifies who is not covered by the policy within part 102-5. This final rule also refers readers to section 102-34.210 which addresses when a Government motor vehicle can be used for transportation between places of employment and mass transit facilities.

B. Executive Order 12866

This final rule 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.

C. Regulatory Flexibility Act

This final rule is not required to be published in the **Federal Register** for notice and comment as per the exemption specified in 5 U.S.C. 553 (a)(2); therefore, the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, does not apply. 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 changes to the FMR do not impose information collection requirements 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 exempt from Congressional review under 5 U.S.C. 801 since it relates solely to agency management and personnel.

List of Subjects in 41 CFR Part 102-5

Government property, Home-to-work transportation, Motor vehicles.

Dated: May 25, 2010.

Martha Johnson,

Administrator of General Services.

■ For the reasons set forth in the preamble, GSA amends 41 CFR part 102-5 as set forth below:

PART 102-5—HOME-TO-WORK TRANSPORTATION

■ 1. The authority citation for 41 CFR part 102-5 is revised to read as follows:

Authority: 40 U.S.C. 121(c); 31 U.S.C. 1344(e)(1).

■ 2. Amend section § 102-5.20 by—

- (a) Revising paragraph (a);
- (b) Removing paragraph (b);
- (c) Redesignating paragraph (c) as paragraph (b);
- (d) Removing the period at the end of newly redesignated paragraph (b) and adding “; or” in its place; and
- (e) Adding a new paragraph (c).

The revisions read as follows:

§ 102-5.20 Who is not covered by this part?

* * * * *

(a) Employees who use a passenger carrier in conjunction with official travel, including temporary duty (TDY) or relocation;

* * * * *

(c) Employees who use a passenger carrier for transportation between places of employment and mass transit facilities (*see, e.g.*, 41 CFR 102-34.210).

[FR Doc. 2010-17666 Filed 7-19-10; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

RIN 0648-XX26

Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries

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

ACTION: Closure.

SUMMARY: NMFS closes the northern area Angling category fishery for large medium and giant (“trophy”) BFT for the remainder of 2010. Fishing for, retaining, possessing, or landing large medium and giant BFT (measuring 73 inches (185 cm) curved fork length or

greater) north of 39° 18' N. lat. (off Great Egg Inlet, NJ) is prohibited effective at 11:59 p.m., July 18, 2010. This action is being taken to prevent overharvest of the 2010 Angling category quota northern area subquota for large medium and giant BFT.

DATES: Effective 11:59 p.m. on July 18, 2010, through December 31, 2010.

FOR FURTHER INFORMATION CONTACT: Sarah McLaughlin or 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, per the allocations established in the 2006 Consolidated Highly Migratory Species Fishery Management Plan (2006 Consolidated HMS FMP) (71 FR 58058, October 2, 2006).

NMFS is required, under § 635.28(a)(1), to file a closure notice with the Office of the Federal Register for publication when a BFT quota is reached or is projected to be reached. On and after the effective date and time of such notification, for the remainder of the fishing year, or for a specified period as indicated in the notification, fishing for, retaining, possessing, or landing BFT under that quota category is prohibited until the opening of the subsequent quota period or until such date as specified in the notice.

The 2010 BFT quota specifications established a quota of 5.2 mt of large medium and giant BFT (measuring 73 inches curved fork length or greater) to be harvested in the northern area, i.e., north of 39° 18' N. lat. (off Great Egg Inlet, NJ) by vessels permitted in the HMS Angling or Charter/Headboat category (while fishing recreationally) during 2010 (75 FR 30732, June 2, 2010). On June 14 (75 FR 33531), NMFS announced three Angling category BFT fishery inseason actions, effective June 12, 2010: a change to the daily retention limit, closure of the southern area trophy fishery, and a quota transfer of 1.7 mt from the Reserve to the northern area trophy fishery. The southern area trophy BFT closure was based on reported landings of trophy BFT via the North Carolina Tagging Program. NMFS

transferred quota from the Reserve to the Angling category so that 1.7 mt (the amount established in the 2010 BFT quota specifications) would be available for the landing of trophy BFT in the northern area. NMFS has determined that the northern area trophy BFT subquota has been reached. Therefore, through December 31, 2010, fishing for, retaining, possessing, or landing large medium or giant BFT north of 39° 18' N. lat. by persons aboard vessels permitted in the HMS Angling category and the HMS Charter/Headboat category (while fishing recreationally) must cease at 11:59 p.m. on July 18, 2010.

The intent of this closure is to prevent overharvest of the Angling category northern area trophy BFT subquota. Anglers are reminded that all non-tournament BFT landed under the Angling category quota must be reported within 24 hours of landing either online at www.hmspermits.gov or by calling (888) 872-8862. In Maryland and North Carolina, vessel owners must report their recreational tuna landings at state-operated reporting stations. For additional information on these programs, including reporting station locations, please call (410) 213-1351 (Maryland) or (800) 338-7804 (North Carolina).

Anglers may catch and release (or tag and release) BFT of all sizes, subject to the requirements of the catch-and-release and tag-and-release programs at § 635.26. Anglers are also reminded that all released BFT must be returned to the sea immediately with a minimum of injury and without removing the fish from the water, consistent with requirements at § 635.21(a)(1).

If needed, subsequent Angling category adjustments will be published in the **Federal Register**. In addition, fishermen may call the Atlantic Tunas Information Line at (888) 872-8862 or (978) 281-9260, or access www.hmspermits.gov, for updates.

Classification

The Assistant Administrator for NMFS (AA) finds that it is impracticable and contrary to the public interest to provide prior notice of, and an opportunity for public comment on, this action for the following reasons:

The regulations implementing the Consolidated HMS FMP provide for inseason retention limit adjustments to respond to the unpredictable nature of BFT availability on the fishing grounds, the migratory nature of this species, and the regional variations in the BFT fishery. The closure of the northern area Angling category trophy fishery is necessary to prevent overharvest of the Angling category northern area trophy

BFT subquota. NMFS provides notification of closures by publishing the notice in the **Federal Register**, e-mailing individuals who have subscribed to the Atlantic HMS News electronic newsletter, and updating the information posted on the Atlantic Tunas Information Line and on www.hmspermits.gov.

These fisheries are currently underway and delaying this action would be contrary to the public interest as it could result in excessive BFT landings that may result in future potential quota reductions for the Angling category. NMFS must close the northern area trophy BFT fishery before additional landings of these size BFT accumulate. Therefore, the AA finds good cause under 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment. For all of the above reasons, there is good cause under 5 U.S.C. 553(d) to waive the 30-day delay in effectiveness.

This action is being taken under 50 CFR 635.28(a)(1), and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 971 *et seq.* and 1801 *et seq.*

Dated: July 15, 2010.

Galen Tromble,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2010-17695 Filed 7-15-10; 4:15 pm]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 100427197-0207-01]

RIN 0648-AY86

Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Pollock Catch Limit Revisions

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

ACTION: Emergency rule; request for comments.

SUMMARY: NMFS issues this final rule pursuant to its authority to issue emergency measures under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). This emergency action implements new stock status determination criteria for pollock and associated increases in pollock catch limits under the Northeast (NE)

Multispecies Fishery Management Plan (FMP), based on the most recent and best available scientific information. Specifically, this emergency action increases fishing year (FY) 2010 pollock catch levels specified by Framework Adjustment (FW) 44, including Overfishing Levels (OFLs), Acceptable Biological Catches (ABCs), Annual Catch Limits (ACLs), ACL components, incidental Total Allowable Catches (TACs) for special management programs, and sector Annual Catch Entitlements (ACEs). The ACL components include sub-ACLs for the common pool and sectors. This action is intended to provide additional fishing opportunities, consistent with the FMP and the Magnuson-Stevens Act.

DATES: Effective July 15, 2010, through January 11, 2011. Comments must be received by August 19, 2010.

FOR FURTHER INFORMATION CONTACT: Thomas A. Warren, Fishery Policy Analyst, (978) 281-9347, fax (978) 281-9135.

SUPPLEMENTARY INFORMATION:

Background

This final rule implements emergency measures, authorized by section 305(c) of the Magnuson-Stevens Act, to revise current pollock catch limits immediately. On May 1, 2010, NMFS implemented catch limits developed by the New England Fishery Management Council (Council) under FW 44 (75 FR 18356; April 9, 2010) for all groundfish stocks, including pollock, for FY 2010 through 2012. The catch levels specified by FW 44 included OFLs, ABCs, ACLs, ACL components, and incidental TACs for special management programs. The ACL components included sub-ACLs for the common pool and sectors. On May 26, 2010, NMFS published (75 FR 29459) adjusted ACL subcomponents and adjusted sector ACEs in order to reflect changes to the sector rosters just prior to the start of FY 2010.

The FW 44 catch levels for all stocks, including pollock, were based upon the most recent scientific information available at that time, i.e., the stock assessments conducted by the Groundfish Assessment Review Meeting (GARM III) in 2008, as well as subsequent pertinent information for pollock, as explained below. GARM III originally characterized pollock as overfished and subject to overfishing and, in accordance with required procedures, NMFS notified the Council of the status of the stock on September 2, 2008. Subsequent correspondence resulted in two modifications to the characterization of the status of the pollock biomass. A September 16, 2008,