

**DATES:** *Effective Date:* The provisions of this final rule are effective February 4, 2005, and applies to travel performed on or after that date.

**FOR FURTHER INFORMATION CONTACT:** The Regulatory Secretariat (VIR), Room 4035, GS Building, Washington, DC, 20405, (202) 208-7312, for information pertaining to status or publication schedules. For clarification of content, contact Devoanna R. Reels, Program Analyst, Office of Governmentwide Policy, Travel Management Policy, at (202) 501-3781. Please cite FTR case 2005-301, FTR Amendment 2005-01.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

Pursuant to 5 U.S.C. 5707(b), the Administrator of General Services has the responsibility to establish the privately owned vehicle (POV) mileage reimbursement rates. Separate rates are set for airplanes, automobiles (including trucks), and motorcycles. In order to set these rates, GSA is required to conduct periodic investigations, in consultation with the Secretaries of Defense and Transportation, and representatives of Government employee organizations, of the cost of travel and the operation of POVs to employees while engaged on official business. As required, GSA conducted an investigation of the costs of operating a POV and is reporting the cost per mile determination. The results of the investigation have been reported to Congress and a copy of the report appears as an attachment to this document. GSA's cost studies show the Administrator of General Services has determined the per-mile operating costs of a POV to be \$1.07 for airplanes, \$0.405 for automobiles, and \$0.305 for motorcycles. As provided in 5 U.S.C. 5704(a)(1), the automobile reimbursement rate cannot exceed the single standard mileage rate established by the Internal Revenue Service (IRS). The IRS has announced a new single standard mileage rate for automobiles of \$0.405 per mile effective January 1, 2005. Additionally, based on updated data for the two-tiered reimbursement rates reflecting costs to an agency of operating a Government-furnished vehicle (GFV), the current reimbursement rate of \$0.270 per mile increased to \$0.285 per mile (when a GFV is available to an employee). The current reimbursement rate of \$0.105 per mile (when a GFV is assigned directly to an employee) will remain the same.

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

**C. 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.

**D. 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 301-10**

Government employees, Travel and transportation expenses.

Dated: January 25, 2005.

**Stephen A. Perry,**  
*Administrator of General Services.*

■ For the reasons set forth in the preamble, under 5 U.S.C. 5701-5709, GSA amends 41 CFR part 301-10 as set forth below:

**PART 301-10—TRANSPORTATION EXPENSES**

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

**Authority:** 5 U.S.C. 5707; 40 U.S.C. 121(c); 49 U.S.C. 40118.

■ 2. In section 301-10.303 revise the last three entries in the table to read as follows:

**§ 301-10.303 What am I reimbursed when use of a POV is determined by my agency to be advantageous to the Government?**

For use of a	Your reimbursement is
* * * * *	* * * * *
Privately owned airplane .....	1 \$1.07
Privately owned automobile .....	1 \$0.405
Privately owned motorcycle .....	1 \$0.305

1 Per mile.

The following attachment will not appear in the Code of Federal Regulations.

**Attachment to Preamble—Report To Congress On The Costs Of Operating Privately Owned Vehicles**

5 U.S.C. 5707(b)(1)(A) requires that the Administrator of General Services, in consultation with the Secretary of Defense, the Secretary of Transportation, and representatives of Government employee organizations, conduct periodic investigations of the cost of travel and operation of privately owned vehicles (POVs) (airplanes, automobiles, and motorcycles) to Government employees while on official travel, and report the results to the Congress at least once a year. 5 U.S.C. 5707(b)(2)(B) further requires that the Administrator of General Services determine the average, actual cost per mile for the use of each type of POV based on the results of the cost investigation. Such figures must be reported to the Congress within 5 working days after the cost determination has been made in accordance with 5 U.S.C. 5707(b)(2)(C).

Pursuant to the requirements of 5 U.S.C. 5707(b)(1)(A), the General Services Administration (GSA), in consultation with the Secretary of Defense, the Secretary of Transportation, and representatives of Government employee organizations, conducted an investigation of the cost of operating a privately owned automobile (POA). As provided in 5 U.S.C. 5704(a)(1), the automobile reimbursement rate cannot exceed the single standard mileage rate established by the Internal Revenue Service (IRS). The IRS has announced a new single standard mileage rate for POAs of \$0.405 effective January 1, 2005.

As required, GSA is reporting the results of the investigation and the cost per mile determination. Based on cost studies conducted by GSA, I have determined the per-mile operating costs of a POV to be \$1.07 for airplanes, \$0.405 for POAs, and \$0.305 for motorcycles.

I will issue a regulation to increase the current \$0.995 to \$1.07 for privately owned airplanes, \$0.375 to \$0.405 for POAs, and \$0.285 to \$0.305 for privately owned motorcycles. This report to Congress on the cost of operating POVs will be published in the **Federal Register**.

[FR Doc. 05-2124 Filed 2-3-05; 8:45 am]

**BILLING CODE 6820-14-S**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 65**

**Changes in Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency (FEMA), Emergency Preparedness and Response

Directorate, Department of Homeland Security.

**ACTION:** Final rule.

**SUMMARY:** Modified Base (1% annual chance) Flood Elevations (BFEs) are finalized for the communities listed below. These modified elevations will be used to calculate flood insurance premium rates for new buildings and their contents.

**EFFECTIVE DATES:** The effective dates for these modified BFEs are indicated on the following table and revise the Flood Insurance Rate Map(s) (FIRMs) in effect for each listed community prior to this date.

**ADDRESSES:** The modified BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

**FOR FURTHER INFORMATION CONTACT:** Doug Bellomo, P.E., Hazard Identification Section, Emergency Preparedness and Response Directorate, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646-2903.

**SUPPLEMENTARY INFORMATION:** FEMA makes the final determinations listed below of modified BFEs for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Mitigation Division Director of the Emergency Preparedness and Response Directorate has resolved any appeals resulting from this notification.

The modified BFEs are not listed for each community in this notice. However, this rule includes the address of the Chief Executive Officer of the community where the modified base flood elevation determinations are available for inspection.

The modifications are made pursuant to Section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified BFEs are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State or regional entities.

These modified elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

The changes in BFEs are in accordance with 44 CFR 65.4.

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

*Regulatory Flexibility Act.* The Mitigation Division Director of the Emergency Preparedness and Response Directorate certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified BFEs are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

*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 12612, Federalism.* This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

*Executive Order 12778, Civil Justice Reform.* This rule meets the applicable standards of Section 2(b)(2) of Executive Order 12778.

**List of Subjects in 44 CFR Part 65**

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

■ Accordingly, 44 CFR Part 65 is amended to read as follows:

**PART 65—[AMENDED]**

■ 1. The authority citation for Part 65 continues to read as follows:

**Authority:** 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

**§ 65.4 [Amended]**

■ 2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location	Dates and name of newspaper where notice was published	Chief Executive Officer of community	Effective date of modification	Community No.
Alabama: Colbert (FEMA Docket No. D-7557).	City of Muscle Shoals.	Mar. 24, 2004, Mar. 31, 2004, Times Daily.	The Honorable David H. Bradford, Mayor of the City of Muscle Shoals, P.O. Box 2624, Muscle Shoals, Alabama 35662.	Apr. 17, 2004 .....	010047 C
Tuscaloosa (FEMA Docket No. D-7557).	City of Tuscaloosa.	Mar. 24, 2004, Mar. 31, 2004, The Tuscaloosa News.	The Honorable Alvin P. Dupont, Mayor of the City of Tuscaloosa, P.O. Box 2089, Tuscaloosa, Alabama 35403.	June 30, 2004 .....	010203 E
Delaware: New Castle (FEMA Docket No. D-7555).	Unincorporated Areas.	Feb. 17, 2004, Feb. 24, 2004, The News Journal.	Mr. Thomas P. Gordon, New Castle County Executive, New Castle County Government Center, 87 Reads Way, New Castle, Delaware 19720.	May 25, 2004 .....	105085 G

State and county	Location	Dates and name of newspaper where notice was published	Chief Executive Officer of community	Effective date of modification	Community No.
New Castle (FEMA Docket No. D-7557).	Unincorporated Areas.	Apr. 2, 2004, Apr. 9, 2004, The News Journal.	Mr. Thomas P. Gordon, New Castle County Executive, New Castle County Government Center, 87 Reads Way, New Castle, Delaware 19720.	July 9, 2004 .....	105085 G
Massachusetts: Barnstable (FEMA Docket No. D-7559).	Town of Falmouth.	Apr. 23, 2004, Apr. 30, 2004, Cape Cod Times.	Mr. Robert L. Whritenour, Jr., Falmouth Town Administrator, 59 Town Hall Square, Falmouth, Massachusetts 02540.	Apr. 16, 2004 .....	255211 G
New Jersey: Hudson (FEMA Docket No. D-7555).	Township of North Bergen.	Mar. 31, 2004, Apr. 7, 2004, The Jersey Journal.	The Honorable Nicholas J. Sacco, Mayor of the Township of North Bergen, 4233 Kennedy Boulevard, North Bergen, New Jersey 07047.	Mar. 23, 2004 .....	340225 C
Cape May (FEMA Docket No. D-7555).	Borough of Wildwood Crest.	Feb. 11, 2004, Feb. 18, 2004, The Gazette.	The Honorable John J. Pantalone, Mayor of the Borough of Wildwood Crest, 6101 Pacific Avenue, Wildwood Crest, New Jersey 08260.	Feb. 3, 2004 .....	345330 C
Pennsylvania: Lehigh (FEMA Docket No. D-7553).	Township of South Whitehall.	Feb. 9, 2004, Feb. 16, 2004, The Morning Call.	Mr. Gerald Gasda, Township of South Whitehall Manager, 4444 Walbert Avenue, Allentown, Pennsylvania 18104.	Jan. 28, 2004 .....	420593 D
Puerto Rico: (FEMA Docket No. D-7555).	Commonwealth	Mar. 5, 2004, Mar. 12, 2004, The San Juan Star.	The Honorable Sila M. Calderon, Governor of the Commonwealth of Puerto Rico, Office of the Governor, P.O. Box 9020082, San Juan, Puerto Rico 00902-0082.	June 11, 2004 .....	720000 C
South Carolina: York (FEMA Docket No. D-7557).	City of Rock Hill	Mar. 24, 2004, Mar. 31, 2004, The Herald.	The Honorable Doug Echols, Mayor of the City of Rock Hill, P.O. Box 11706, Rock Hill, South Carolina 29731.	June 30, 2004 .....	450196 C
York (FEMA Docket No. D-7557).	Unincorporated Areas.	Mar. 24, 2004, Mar. 31, 2004, The Herald.	Mr. Alfred W. Green, York County Manager, P.O. Box 66, York, South Carolina 29745-0066.	June 30, 2004 .....	450193 C
Vermont: Bennington (FEMA Docket No. D-7555).	Town of Bennington.	Feb. 18, 2004, Feb. 25, 2004, Bennington Banner.	Mr. Stuart Hurd, Bennington Town Manager, P.O. Box 469, 205 South Street, Bennington, Vermont 05201.	Feb. 11, 2004 .....	500013 C
Virginia: Culpeper (FEMA Docket No. D-7555).	Town of Culpeper.	Feb. 17, 2004, Feb. 24, 2004, The Culpeper Star.	Mr. J. Brannon Godfrey, Town of Culpeper Manager, 400 South Main Street, Culpeper, Virginia 22701.	May 25, 2004 .....	510042 B
Fairfax (FEMA Docket No. D-7555).	Unincorporated Areas.	Feb. 18, 2004, Feb. 25, 2004, The Washington Times.	Mr. Anthony Griffin, Fairfax County Executive, 12000 Government Center Parkway, Suite 552, Fairfax, Virginia 22035-0066.	May 26, 2004 .....	515525 D
Loudoun (FEMA Docket No. D-7555).	Unincorporated Areas.	Mar. 10, 2004, Mar. 17, 2004, Loudoun Times Mirror.	Mr. Kirby Bowers, Loudoun County Administrator, 1 Harrison Street, S.E., 5th Floor, P.O. Box 7000, Leesburg, Virginia 20177-7000.	June 16, 2004 .....	510090 D
Norfolk (FEMA Docket No. D-7555).	Independent City	Apr. 5, 2004, Apr. 12, 2004, The Virginian-Pilot.	The Honorable Paul D. Fraim, Mayor of the City of Norfolk, 1109 City Hall Building, 810 Union Street, Norfolk, Virginia 23510.	Mar. 29, 2004 .....	510104 E
Prince William (FEMA Docket No. D-7557).	Unincorporated Areas.	Mar. 17, 2004, Mar. 24, 2004, Potomac News.	Mr. Craig Gerhart, Prince William County Executive, 1 County Complex Court, Prince William, Virginia 22192.	June 23, 2004 .....	510119 D
Independent City (FEMA Docket No. D-7557).	City of Winchester.	Mar. 15, 2004, Mar. 22, 2004, Winchester Star.	Mr. Edwin C. Daley, City of Winchester Manager, Rouss City Hall, 15 North Cameron Street, Winchester, Virginia 22601.	Mar. 4, 2004 .....	510173 B

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

Dated: January 28, 2005.

**David I. Maurstad,**

*Acting Director, Mitigation Division,  
Emergency Preparedness and Response  
Directorate.*

[FR Doc. 05-2120 Filed 2-3-05; 8:45 am]

BILLING CODE 9110-12-P

**DEPARTMENT OF HOMELAND  
SECURITY**

**Federal Emergency Management  
Agency**

**44 CFR Part 65**

[Docket No. FEMA-D-7563]

**Changes in Flood Elevation  
Determinations**

**AGENCY:** Federal Emergency Management Agency (FEMA), Emergency Preparedness and Response Directorate, Department of Homeland Security.

**ACTION:** Interim rule.

**SUMMARY:** This interim rule lists communities where modification of the Base (1% annual chance) Flood Elevations (BFEs) is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified BFEs for new buildings and their contents.

**DATES:** These modified BFEs are currently in effect on the dates listed in the table and revise the Flood Insurance Rate Map(s) (FIRMs) in effect prior to this determination for each listed community.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Director reconsider the changes. The modified elevations may be changed during the 90-day period.

**ADDRESSES:** The modified BFEs for each community are available for inspection

at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

**FOR FURTHER INFORMATION CONTACT:** Doug Bellomo, P.E., Hazard Identification Section, Emergency Preparedness and Response Directorate, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646-2903.

**SUPPLEMENTARY INFORMATION:** The modified BFEs are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection is provided. Any request for reconsideration must be based upon knowledge of changed conditions, or upon new scientific or technical data.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified BFEs are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State or regional entities.

The changes in BFEs are in accordance with 44 CFR 65.4.

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

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*Regulatory Classification.* This interim 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 12612, Federalism.* This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

*Executive Order 12778, Civil Justice Reform.* This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778.

**List of Subjects in 44 CFR Part 65**

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

■ Accordingly, 44 CFR part 65 is amended to read as follows:

**PART 65—[AMENDED]**

■ 1. The authority citation for part 65 continues to read as follows:

**Authority:** 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

**§ 65.4 [Amended]**

■ 2. The tables published under the authority of § 65.4 are amended as shown below:

State and county	Location	Dates and name of newspaper where notice was published	Chief Executive Officer of community	Effective date of modification	Community No.
Alabama: Calhoun .....	Unincorporated Areas.	September 28, 2004; October 5, 2004; <i>Anniston Star</i> .	Mr. Ken Joiner, Calhoun County Administrator, 1702 Noble Street, Suite 103, Anniston, Alabama 36201.	September 21, 2004 ..	010013 C
Delaware: New Castle ..	Unincorporated Areas.	August 17, 2004; August 24, 2004; <i>The News Journal</i> .	Mr. Thomas P. Gordon, New Castle County Executive, New Castle County Government Center, 87 Reads Way, New Castle, Delaware 19720.	November 23, 2004 ...	105085 G