

## SUPPLEMENTARY INFORMATION:

## A. Background

Currently, as provided in 41 CFR 102–34.35, a motor vehicle rental is limited to less than 60 continuous days. If an agency obtains a motor vehicle for 60 continuous days or more, then it is a commercial lease under current regulations. Agencies, however, often have a valid temporary mission requirement for a motor vehicle of 60 continuous days or more in duration but of significantly fewer days in duration than is typically available under commercial leases, which commonly require a minimum lease period of one year. Also, some agencies have requirements from time to time for additional vehicles for relatively short periods of time. As a result, agencies are turning to short-term rentals to meet these motor vehicle needs but have encountered impediments when those needs meet or exceed 60 continuous days but are less than a year (for which commercial leases are commonly available).

A proposed rule to amend section 102–34.35 of the FMR (41 CFR 102–34.35) to redefine the term “motor vehicle rental” to increase the less than 60 continuous day rental timeframe to less than 120 continuous days and adjust the definition of the term “commercial lease or lease commercially” accordingly was published in the **Federal Register** on June 1, 2011 (76 FR 31545). There were no comments. This regulatory amendment will provide greater flexibility to Federal agencies in meeting their motor vehicle needs.

## B. Executive Order 12866 and Executive Order 13563

Executive Orders 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). Executive Order 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, 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 would 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 Regulatory Flexibility Act per 5 U.S.C. 553(a)(2) because it applies to agency management. 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 102–34

Energy conservation, Government property management, Motor vehicles, Reporting and recordkeeping requirements.

Dated: October 31, 2011.

Martha Johnson,  
Administrator.

For the reasons set forth in the preamble, GSA amends 41 CFR part 102–34 as set forth below:

## PART 102–34—MOTOR VEHICLE MANAGEMENT

- 1. The authority citation for 41 CFR part 102–34 continues to read as follows:

**Authority:** 40 U.S.C. 121(c); 40 U.S.C. 17503; 31 U.S.C. 1344; 49 U.S.C. 32917; E.O. 12375.

- 2. In § 102–34.35, revise the definitions of the terms “Commercial lease or lease commercially” and “Motor vehicle rental” to read as follows:

## § 102–34.35 What definitions apply to this part?

\* \* \* \* \*

*Commercial lease or lease commercially* means obtaining a motor vehicle by contract or other arrangement from a commercial source for 120 continuous days or more. (Procedures for purchasing and leasing motor vehicles through GSA can be found in 41 CFR subpart 101–26.5).

\* \* \* \* \*

*Motor vehicle rental* means obtaining a motor vehicle by contract or other arrangement from a commercial source for less than 120 continuous days.

\* \* \* \* \*

[FR Doc. 2011–31470 Filed 12–7–11; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

## 47 CFR Parts 61 and 69

[WC Docket Nos. 10–90, 07–135, 05–337, 03–109; GN Docket No. 09–51, CC Docket Nos. 01–92, 96–45, WT Docket No. 10–208, FCC 11–161]

## Connect America Fund; Developing a Unified Intercarrier Compensation Regime

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** In this document, the Commission announces that the Office of Management and Budget (OMB) has approved, for a period of three years, the information collection associated with the Commission’s *Connect America Fund*, Report and Order (*Order*)’s access stimulation rules. This notice is consistent with the *Order*, which stated that the Commission would publish a document in the **Federal Register** announcing the effective date of those rules. The Commission received OMB pre-approval for the proposed requirements on April 19, 2011 and final approval for the final requirements on December 1, 2011. Therefore, the information collection requirements were adopted as proposed.

**DATES:** The amendments to 47 CFR 61.3, 61.26, 61.39, and 69.3 published at 76 FR 73830, November 29, 2011, are effective December 29, 2011.

**FOR FURTHER INFORMATION CONTACT:** John Hunter, Pricing Policy Division, Wireline Competition Bureau, at (202) 418–1520, or email: [john.hunter@fcc.gov](mailto:john.hunter@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This document announces that, on April 19, 2011 (preapproval) and on December 1, 2011 (final approval), OMB approved, for a period of three years, the information collection requirements relating to the access stimulation rules contained in the Commission’s *Order*, FCC 11–161, published at 76 FR 73830, November 29, 2011. The OMB Control Number is 3060–0298. The Commission publishes this notice as an announcement of the effective date of

the rules. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Cathy Williams, Federal Communications Commission, Room 1-C823, 445 12th Street SW., Washington, DC 20554. Please include the OMB Control Number, 3060-0298, in your correspondence. The Commission will also accept your comments via email at [PRA@fcc.gov](mailto:PRA@fcc.gov).

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

### Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received OMB pre-approval on April 19, 2011, for the information collection requirements contained in the proposed modifications to the Commission's rules in 47 CFR parts 61 and 69.

Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control

Number. The OMB Control Number is 3060-0298.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104-13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

*OMB Control Number:* 3060-0298.

*OMB Approval Dates:* April 19, 2011 and December 1, 2011.

*OMB Expiration Date:* June 30, 2014.

*Title:* Part 61, Tariffs (Other than Tariff Review Plan).

*Form Number:* N/A.

*Respondents:* Business or other for-profit entities.

*Number of Respondents and Responses:* 630 respondents; 1,210 responses.

*Estimated Time per Response:* 50 hours.

*Frequency of Response:* One-time, biennial and on-occasion reporting requirements.

*Obligation to Respond:* Required to obtain or retain benefits. The statutory authority for this information collection is contained in sections 1-5, 201-205, 208, 251-271, 403, 502, and 503 of the Communications Act of 1934, as amended, 47 U.S.C. 151-155, 201-205, 208, 251-271, 403, 502 and 503.

*Total Annual Burden:* 63,000 hours.

*Total Annual Cost:* \$986,150.

*Nature and Extent of Confidentiality:* An assurance of confidentiality is not offered because this information collection does not require the

collection of personally identifiable information (PII) from individuals.

*Needs and Uses:* Sections 201, 202, 203, 204 and 205 of the Communications Act of 1934, ("Act") as amended, 47 U.S.C. 201, 202, 203, 204 and 205, require that common carriers establish just and reasonable charges, practices and regulations which must be filed with the Commission which is required to determine whether such schedules are just, reasonable and not unduly discriminatory. On November 18, 2011, the Commission released the Order, FCC 11-161, published at 76 FR 73830, November 29, 2011, adopting final rules—containing information collection requirements—designed to address arbitrage activities known as access stimulation. The rules generally require competitive carriers and rate-of-return incumbent local exchange carriers (LECs) to refile their interstate switched access tariffs at lower rates if the following two conditions are met: (1) A LEC has a revenue sharing agreement and (2) the LEC either (a) has a three-to-one ratio of terminating-to-originating traffic in any month or (b) experiences more than a 100 percent increase in traffic volume in any month measured against the same month during the previous year.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary, Office of Managing Director.*

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