

verification upon receipt, processing through a secure mail system, and signature upon delivery. For these services, in addition to terminal dues, the delivering postal operator is provided a set amount in compensation from the originating postal operator, regardless of the cost of the delivery process. The Postal Service is not authorized to charge a premium for the delivery of these items to the addressee.

Through the December 20, 2006, enactment of the Postal Accountability and Enhancement Act (PAEA), Congress fundamentally changed the Postal Service's business model by converting it from one based on an expectation that it would break-even over time, to a more commercially competitive, profit-making model. This change requires the Postal Service to review all of its services in an effort to better align costs and revenues, while at the same time ensuring the security of the mail.

Domestic Registered Mail is handled in a separate hand-to-hand labor-intensive process from point of acceptance to delivery. The domestic Registered Mail fees are set by the Postal Service and are based on the stated value of the item, for which insurance is provided in the fee, up to \$25,000. These fees take into account the labor and processing costs required to accept, process and deliver this mail.

In contrast, inbound international Registered Mail is defined by the UPU's agreement, which limits the compensation the Postal Service receives for providing the service and also limits the indemnity available to customers. The UPU agreement does not require hand-to-hand processing. Inbound international Registered Mail, therefore, will no longer be handled in the domestic Registered Mail system.

International senders of Registered Mail will continue to receive the features that distinguish this service. The Postal Service will verify the receipt of Registered Mail to the originating postal administration. A signature will be obtained at the time of delivery in accordance with domestic regulations governing the delivery of accountable mail. The sender also will have access to the inquiry process and may receive indemnity based on UPU limits for loss, damage or missing contents. Customers will also benefit from the high security of the domestic First-Class Mail® mailstream, which is protected by the United States Postal Inspection Service® and the United States Postal Service Office of Inspector General. The Postal Service anticipates improved service as well as cost savings as a result of this change to its

operational handling of inbound international Registered Mail items.

The Postal Service hereby adopts the following changes to *Mailing Standards of the United States Postal Service*, International Mail Manual (IMM), which is incorporated by reference in the Code of Federal Regulations. See 39 CFR 20.1.

List of Subjects in 39 CFR Part 20

Foreign relations, International postal services.

■ Accordingly, 39 CFR part 20 is amended as follows:

PART 20—[AMENDED]

■ 1. The authority citation for 39 CFR part 20 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 401, 404, 407, 408, 3622, 3632, and 3633.

■ 2. Revise the following sections of *Mailing Standards of the United States Postal Service*, International Mail Manual (IMM) to read as follows:

Mailing Standards of the United States Postal Service, International Mail Manual (IMM)

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7 Treatment of Inbound Mail

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750 Extra Services

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752 Registered Mail

752.1 Identification

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[Revise 752.13 to read as follows:]

752.13 Treatment of Registered Items

All mail registered by the country of origin must be handled in the domestic First-Class Mail mailstream from the exchange office to the office of delivery. A signed delivery receipt must be obtained at the time of delivery.

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Stanley F. Mires,

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No.070817467-8554-02]

RIN 0648-XN68

Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Delmarva Scallop Access Area to General Category Scallop Vessels

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS announces that the Delmarva Scallop Access Area will close to general category scallop vessels for the remainder of the 2009 fishing year. This action is based on the determination that 728 general category scallop trips into the Delmarva Access Area are projected to be taken as of 0001, April 1, 2009. This action is being taken to prevent the allocation of general category trips in the Delmarva Scallop Access Area from being exceeded during the 2009 fishing year, in accordance with the regulations implementing Framework 19 to the Atlantic Sea Scallop Fishery Management Plan (FMP) and the Magnuson-Stevens Fishery Conservation and Management Act.

DATES: Effective 0001 hours, April 1, 2009, through February 28, 2010.

FOR FURTHER INFORMATION CONTACT: Don Frei, Fishery Management Specialist, (978) 281-9221, fax (978) 281-9135.

SUPPLEMENTARY INFORMATION: Regulations governing fishing activity in the Sea Scallop Access Areas are found at §§ 648.59 and 648.60. Regulations specifically governing general category scallop vessel operations in the Delmarva Scallop Access Area are specified at § 648.59(e)(4)(ii). These regulations authorize vessels issued a valid general category scallop permit to fish in the Delmarva Scallop Access Area under specific conditions, including a total of 728 trips that may be taken by general category vessels during the 2009 fishing year. The regulations at § 648.59(e)(4)(ii) require the Delmarva Scallop Access Area to be closed to general category scallop vessels once the Northeast Regional Administrator has determined that the

allowed number of trips are projected to be taken.

Based on trip declarations by general category scallop vessels fishing in the Delmarva Scallop Access Area, and analysis of fishing effort, a projection concluded that 728 trips will have been taken on April 1, 2009. Therefore, in accordance with the regulations at § 648.59(e)(4)(ii), the Delmarva Scallop Access Area is closed to all general category scallop vessels as of 0001 hours, April 1, 2009, through February 28, 2010. Any vessel that has declared into the general category Delmarva Access Area scallop fishery, complied with all trip notification and observer requirements, and crossed the VMS demarcation line on the way to the area, may complete the trip. This closure is in effect for the remainder of the 2009 scallop fishing year under current regulations.

Classification

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

This action closes the Delmarva Scallop Access Area to all general category scallop vessels for the remainder of the 2009 fishing year. The regulations at § 648.59(e)(4)(ii) allow such action to ensure that general category scallop vessels do not take more than their allocated number of trips in the Delmarva Scallop Access Area. The Delmarva Scallop Access Area opened for the 2009 fishing year at 0001 hours on March 1, 2009. Data indicating the general category scallop fleet has taken all of the Delmarva Scallop Access Area trips have only recently become available. To allow general category scallop vessels to continue to take trips in the Delmarva Scallop Access Area during the period necessary to publish and receive comments on a proposed rule would result in vessels taking much more than the allowed number of trips in the Delmarva Scallop Access Area. Excessive trips and harvest from the Delmarva Scallop Access Area would result in excessive fishing effort in the

Delmarva Scallop Access Area, where effort controls are critical, thereby undermining conservation objectives of the FMP. Should excessive effort occur in the Delmarva Scallop Access Area, future management measures would need to be more restrictive. Based on the above, under 5 U.S.C. 553(d)(3), proposed rulemaking is waived because it would be impracticable and contrary to the public interest to allow a period for public comment. Furthermore, for the same reasons, there is good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delayed effectiveness period for this action.

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

Dated: March 30, 2009.

Alan D. Risenhoover,

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

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