

4. *Employer's responsibilities.* The Agency will send to the employer of a delinquent debtor a wage garnishment order directing that the employer pay a portion of the debtor's wages to the Agency. The employer is required to certify certain payment information about the debtor. Employers are not required to vary their normal pay cycles in order to comply with these requirements. Employers are prohibited from taking disciplinary actions against the debtor because the debtor's wages are subject to administrative garnishment.

5. *Garnishment amounts.* As provided in the DCIA, no more than 15% of the debtor's disposable pay for each pay period may be garnished. Special rules apply to calculating the amount to be withheld from a debtor's pay that is subject to multiple withholding orders. A debtor may request a review by the Agency of the amount being garnished under a wage garnishment order based on materially changed circumstances, such as disability, divorce, or catastrophic illness, which result in financial hardship.

Administrative Procedure Act Requirements

The Agency has determined that implementation of this rule without prior notice and the opportunity for public comment is warranted because this rule is one of agency procedure and practice and therefore is exempt from notice and comment rulemaking requirements under the Administrative Procedure Act (APA) at 5 U.S.C. 553(b)(A) and (B).

This final rule parallels the existing operational regulations of other agencies to effectuate the collection of non-tariff and nontax debts to implement 31 U.S.C. 3711. Because this rule parallels existing, long-standing rules that have already been subject to APA notice and comment procedures, we believe that publishing this rule with the usual notice and comment procedures is unnecessary. Accordingly, the Agency has determined that prior notice and public comment procedures would be unnecessary pursuant to 5 U.S.C. 553(b)(B).

Regulatory Flexibility Act

Because the Agency has determined that it may issue these rules without public comment, the Agency is also not required to publish any initial or final regulatory flexibility analysis under the Regulatory Flexibility Act as part of such action. See 5 U.S.C. 603(a), 604(b).

Paperwork Reduction Act

I certify that these regulations do not require additional reporting under the criteria of the Paperwork Reduction Act.

Unfunded Mandates Reform Act of 1995

Pursuant to the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 602, 632, 653, 1501–1571, the effects of this regulation on state, local, and tribal governments and the private sector have been assessed. This regulation will not compel the expenditure in any one year of \$100 million or more by state, local, and tribal governments, in the aggregate, or by the private sector. Therefore, a statement under 1532 is not required.

Submission to Congress and the General Accounting Office

Pursuant to 5 U.S.C. 810(a)(1)(A), the Agency submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States before publication of this rule in the **Federal Register**. This rule is not a major rule as defined at 5 U.S.C. 804(2).

List of Subjects in 5 CFR Part 1639

Claims, Government employees, Income taxes, Wages.

Gregory T. Long,
Executive Director, Federal Retirement Thrift Investment Board.

For the reasons stated in the preamble, the Agency amends 5 CFR chapter VI as follows:

PART 1639—CLAIMS COLLECTION

- 1. Amend the authority citation for part 1639 by revising it to read as follows:

Authority: 5 U.S.C. 8474 and 31 U.S.C. 3711, 3716, 3720A, and 3720D.

- 2. Revise § 1639.1 to read as follows:

§ 1639.1 Authority.

The regulations of this part are issued under 5 U.S.C. 8474 and 31 U.S.C. 3711, 3716, 3720A, and 3720D.

- 3. Add subpart E to read as follows:

Subpart E—Administrative Wage Garnishment

§ 1639.60 Administrative wage garnishment.

(a) *General.* The Board may use administrative wage garnishment to collect debts from non-Federal employees in accordance with the requirements of 31 U.S.C. 3720D and 31 CFR 285.11. This subpart adopts and incorporates all of the provisions of 31

CFR 285.11 concerning administrative wage garnishment, including the hearing procedures described in 31 CFR 285.11(f). This section does not apply to collection of debt by Federal salary offset, under 5 U.S.C. 5514, the process by which the Board collects debts from the salaries of Federal employees.

(b) [Reserved]

[FR Doc. 2014–09053 Filed 4–22–14; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 1206013412–2517–02]

RIN 0648–XD230

Reef Fish Fishery of the Gulf of Mexico; 2014 Recreational Accountability Measure for Greater Amberjack in the Gulf of Mexico

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

ACTION: Temporary rule; accountability measure.

SUMMARY: NMFS implements an accountability measure (AM) for recreational greater amberjack in the Gulf of Mexico (Gulf) reef fish fishery for the 2014 fishing year through this temporary final rule. This rule reduces the Gulf greater amberjack 2014 recreational annual catch target (ACT) (equal to the recreational quota) to 862,512 lb (391,229 kg) and reduces the 2014 recreational annual catch limit (ACL) to 1,031,512 lb (467,886 kg), based on the 2013 recreational ACL overage. These actions are necessary to reduce overfishing of the Gulf greater amberjack resource.

DATES: This rule is effective April 23, 2014, through December 31, 2014.

FOR FURTHER INFORMATION CONTACT: Rich Malinowski, Southeast Regional Office, telephone 727–824–5305, email rich.malinowski@noaa.gov.

SUPPLEMENTARY INFORMATION: The reef fish fishery of the Gulf, which includes greater amberjack, is managed under the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (FMP). The FMP was prepared by the Council and is implemented through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). All

weights specified in this rule are round weight.

The Gulf greater amberjack recreational ACL is 1,299,000 lb (589,216 kg), and the recreational ACT (recreational quota) is 1,130,000 lb (512,559 kg), as specified in 50 CFR 622.41(a)(2)(iii) and 50 CFR 622.39(a)(2)(ii), respectively.

In accordance with regulations at 50 CFR 622.41(a)(2)(ii), if landings exceed the recreational ACL, then during the following fishing year, both the recreational ACT (recreational quota) and the recreational ACL will be reduced by the amount of the prior year's recreational ACL overage.

NMFS determined that the 2013 recreational landings were 1,566,488 lb (710,547 kg), which exceeded the 2013 recreational ACL of 1,299,000 lb (589,216 kg) by 267,488 lb (121,331 kg). Therefore, NMFS implements a post-season AM for recreational greater amberjack in the Gulf for the 2014 fishing year through this temporary rule. The reduced 2014 recreational ACT (recreational quota) for Gulf greater amberjack is 862,512 lb (391,229 kg) (*i.e.*, 1,130,000-lb (512,559-kg) recreational ACT minus the overage of 267,488 lb (121,331 kg)). The reduced 2014 recreational ACL for Gulf greater amberjack is 1,031,512 lb (467,886 kg) (*i.e.*, 1,299,000-lb (589,216-kg) recreational ACL minus the overage of 267,488 lb (121,331 kg)).

The 2015 recreational ACT (recreational quota) for greater

amberjack will return to 1,130,000 lb (512,559 kg), as specified at 50 CFR 622.39(a)(2)(ii), and the recreational ACL for greater amberjack will return to 1,299,000 lb (589,216 kg), as specified in 50 CFR 622.41(a)(2)(iii), unless AMs are implemented due to a recreational ACL overage, or the Council takes subsequent regulatory action to adjust the recreational ACT (recreational quota) and recreational ACL.

Classification

The Regional Administrator, Southeast Region, NMFS, has determined this temporary rule is necessary for the conservation and management of Gulf greater amberjack and is consistent with the Magnuson-Stevens Act and other applicable laws.

This action is taken under 50 CFR 622.41(a)(2)(ii) and is exempt from review under Executive Order 12866.

These measures are exempt from the procedures of the Regulatory Flexibility Act because the temporary rule is issued without opportunity for prior notice and comment.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive the requirements to provide prior notice and opportunity for public comment on this temporary rule. Such procedures are unnecessary because the AMs established by Amendment 35 to the FMP (77 FR 67574, November 13, 2013) and located at 50 CFR 622.41(a)(2)(ii) authorize the Assistant Administrator, NMFS, to file a notification with the Office of the

Federal Register to reduce the recreational ACT (recreational quota) and recreational ACL the following fishing year when the recreational ACL is exceeded. The proposed rule for Amendment 35 (77 FR 42476, July 19, 2012) was already subject to notice and comment and all that remains is to notify the public of the 2014 recreational ACT (recreational quota) and recreational ACL for Gulf greater amberjack.

Allowing prior notice and opportunity for public comment is contrary to the public interest because of the need to immediately implement this action to protect the greater amberjack resource. Any delay in notification of the public of the 2014 recreational ACT (recreational quota) and recreational ACL could result in the recreational ACT or ACL for greater amberjack being exceeded, which, in turn, would trigger an in-season AM in 2014 or post-season AMs in 2015 for greater amberjack, respectively.

For the aforementioned reasons, the Assistant Administrator, NMFS, also finds good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

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

Dated: April 18, 2014.

Emily H. Menashes,

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

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