

amends 37 CFR part 2 to read as follows:

## PART 2—RULES OF PRACTICE IN TRADEMARK CASES

■ 1. The authority citation for 37 CFR part 2 continues to read as follows:

**Authority:** 15 U.S.C. 1123, 35 U.S.C. 2, unless otherwise noted.

■ 2. In § 2.32 add a new paragraph (a)(8) to read as follows:

### § 2.32 Requirements for a complete application

(a) \* \* \*

(8) If the mark is not in standard characters, a description of the mark.

\* \* \* \* \*

■ 3. Revise § 2.37 to read as follows:

### § 2.37 Description of mark.

A description of the mark must be included if the mark is not in standard characters. In an application where the mark is in standard characters, a description may be included and must be included if required by the trademark examining attorney.

■ 4. In § 2.52 revise paragraph (b)(5) to read as follows:

### § 2.52 Types of drawings and format for drawings

\* \* \* \* \*

(b) \* \* \*

(5) *Description of mark.* A description of the mark must be included.

\* \* \* \* \*

Dated: March 10, 2008.

**Jon W. Dudas,**

*Director of the United States Patent and Trademark Office, Under Secretary of Commerce for Intellectual Property.*

[FR Doc. E8-5202 Filed 3-13-08; 8:45 am]

**BILLING CODE 3510-16-P**

## GENERAL SERVICES ADMINISTRATION

### 41 CFR Part 301-10

[FTR Amendment 2008-02; Docket 2008-0004, Sequence 1; FTR Case 2008-301]

RIN 3090-A146

### Federal Travel Regulation; Privately Owned Automobile Mileage Reimbursement

**AGENCY:** Office of Governmentwide Policy, General Services Administration (GSA).

**ACTION:** Final rule.

**SUMMARY:** The General Services Administration (GSA) is amending the Federal Travel Regulation (FTR), by

increasing the mileage reimbursement rate for use of a privately owned automobile (POA) when used for official travel. This new rate reflects current costs of operating a POA as determined in cost studies conducted by GSA. **The governing regulation increases the mileage allowance for the cost of operating a POA for official travel from \$0.485 to \$0.505 per mile.**

**DATES: Effective Date: March 19, 2008.**

**FOR FURTHER INFORMATION CONTACT** The Regulatory Secretariat (VPR), Room 4035, GS Building, Washington, DC, 20405, (202) 501-4755, for information pertaining to status or publication schedules. For clarification of content, contact Ms. Umeki G. Thorne, Program Analyst, Office of Governmentwide Policy, Travel Management Policy, at (202) 208-7636. Please cite FTR Amendment 2008-02; FTR case 2008-301.

### 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 has conducted an investigation of the costs of operating a privately owned automobile. The results of this investigation has been reported to Congress and a copy of the report appears as an attachment to this document. The report is being published to comply with the requirements of the law. GSA's cost study shows that the Administrator of General Services has determined the per mile operating costs for official use of a privately owned automobile to be \$0.505. 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 \$0.505 per mile effective January 1, 2008. GSA is currently undergoing studies to review cost analyses of operating a privately owned motorcycle and a privately owned aircraft. Consequently, the costs of operating a privately owned motorcycle and a

privately owned aircraft remain unchanged at this time.

#### 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 final 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 (OMB) 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: February 20, 2008.

**Lurita Doan,**

*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 continues to read as follows:

**Authority:** 5 U.S.C. 5707, 40 U.S.C. 121 (c); 49 U.S.C. 40118, Office of Management and Budget Circular No. A-126, "Improving the Management and Use of Government Aircraft." Revised April 28, 2006.

### 301-10.303 [Amended]

■ 2. Amend the table in § 301-10.303, in the second column, by removing "1\$0.485" and adding "1\$0.505" in its place.

**Note:** The following will not appear in the Code of Federal Regulations.

#### Attachment to Preamble

GENERAL SERVICES  
ADMINISTRATION

REPORTING TO CONGRESS—THE  
COSTS OF OPERATING PRIVATELY  
OWNED AUTOMOBILES

Paragraph (b) of Section 5707 of Title 5, United States Code, requires the Administrator of General Services to periodically investigate the cost to Government employees of operating privately owned vehicles (airplanes, automobiles, and motorcycles) while on official travel, to report the results of the investigations to Congress, and to publish the report in the **Federal Register**. This report on the privately owned automobile mileage reimbursement rate is being published in the **Federal Register**. The investigations pertaining to the reimbursement rates for airplanes and motorcycles are still pending. Therefore, there are no changes to these rates at this time.

Dated: February 20, 2008.

Lurita Doan,

Administrator of General Services.

**Reporting To Congress—The Costs of  
Operating Privately Owned  
Automobiles**

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 (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(a)(1) requires that the Administrator of General Services issue regulations prescribing mileage reimbursement rates and determine the average, actual cost per mile for the use of each type of privately owned vehicle based on the results of these cost investigations. 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 above, the General Services Administration (GSA), in consultation with the above-specified parties 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 \$0.505, which was effective January 1, 2008. 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 POA to be \$0.505. Reimbursement rates for the use of a privately owned airplane and a privately owned motorcycle remain unchanged at this time as these investigations are still pending.

This report to Congress on the cost of operating POAs will be published in the **Federal Register**.

[FR Doc. E8-5091 Filed 3-13-08; 8:45 am]

BILLING CODE 6820-14-S

**DEPARTMENT OF HEALTH AND  
HUMAN SERVICES**

**Centers for Medicare & Medicaid  
Services**

**42 CFR Part 447**

[CMS-2238-IFC]

RIN 0938-AP26

**Medicaid Program; Multiple Source  
Drug Definition**

**AGENCY:** Centers for Medicare & Medicaid Services (CMS), HHS.

**ACTION:** Interim final rule with comment period.

**SUMMARY:** On July 17, 2007, we published a final rule with comment period in the **Federal Register** that implemented provisions of the Deficit Reduction Act of 2005 pertaining to prescription drugs under the Medicaid program. In that rule, we finalized certain provisions of the Medicaid drug rebate program, including definitions concerning average manufacturer price, best price, single source drug, and multiple source drug. In this interim final rule with comment period, we are revising the definition of “multiple source drug” to better conform with the statutory provisions. This interim final rule with comment period solicits additional public comment on the revised definition of “multiple source drug.”

**DATES:** *Effective date:* These regulations are effective on April 14, 2008.

*Comment date:* To be assured consideration, comments must be received at one of the addresses provided below, no later than 5 p.m. on April 14, 2008.

**ADDRESSES:** In commenting, please refer to file code CMS-2238-IFC. Because of staff and resource limitations, we cannot accept comments by facsimile (FAX) transmission.

You may submit comments in one of four ways (please choose only one of the ways listed):

1. *Electronically.* You may submit electronic comments on this regulation to <http://www.regulations.gov>. Follow the instructions for “Comment or Submission” and enter the filecode to find the document accepting comments.

2. *By regular mail.* You may mail written comments (one original and two copies) to the following address only: Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS-2238-IFC, P.O. Box 8016, Baltimore, MD 21244-8016.

Please allow sufficient time for mailed comments to be received before the close of the comment period.

3. *By express or overnight mail.* You may send written comments (one original and two copies) to the following address only: Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS-2238-IFC, Mail Stop C4-26-05, 7500 Security Boulevard, Baltimore, MD 21244-1850.

4. *By hand or courier.* If you prefer, you may deliver (by hand or courier) your written comments (one original and two copies) before the close of the comment period to either of the following addresses: a. Room 445-G, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201.

(Because access to the interior of the HHH Building is not readily available to persons without Federal Government identification, commenters are encouraged to leave their comments in the CMS drop slots located in the main lobby of the building. A stamp-in clock is available for persons wishing to retain a proof of filing by stamping in and retaining an extra copy of the comments being filed.)

b. 7500 Security Boulevard, Baltimore, MD 21244-1850.

If you intend to deliver your comments to the Baltimore address, please call telephone number (410) 786-7195 in advance to schedule your arrival with one of our staff members.

Comments mailed to the addresses indicated as appropriate for hand or courier delivery may be delayed and received after the comment period.

For information on viewing public comments, see the beginning of the **SUPPLEMENTARY INFORMATION** section.

**FOR FURTHER INFORMATION CONTACT:** Gail Sexton, (410) 786-4583.

**SUPPLEMENTARY INFORMATION:**

*Inspection of Public Comments:* All comments received before the close of the comment period are available for viewing by the public, including any