

Executive Order 12866, this final rule is not subject to Executive Order 13211, entitled *Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use* (66 FR 28355, May 22, 2001) or Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997). This final rule does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, nor does it require any special considerations under Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established on the basis of a petition under section 408(d) of FFDCA, such as the tolerance in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) do not apply.

This final rule directly regulates growers, food processors, food handlers, and food retailers, not States or tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of section 408(n)(4) of FFDCA. As such, the Agency has determined that this action will not have a substantial direct effect on States or tribal governments, on the relationship between the national government and the States or tribal

governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian tribes. Thus, the Agency has determined that Executive Order 13132, entitled *Federalism* (64 FR 43255, August 10, 1999) and Executive Order 13175, entitled *Consultation and Coordination with Indian Tribal Governments* (65 FR 67249, November 9, 2000) do not apply to this final rule. In addition, this final rule does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104–4).

This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104–113, section 12(d) (15 U.S.C. 272 note).

**VII. Congressional Review Act**

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report to each House of the Congress and to the Comptroller General of the United States. EPA will submit 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 prior to publication of this final rule in the **Federal Register**. This final rule is not

a “major rule” as defined by 5 U.S.C. 804(2).

**List of Subjects in 40 CFR Part 180**

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: August 17, 2012.  
**Daniel J. Rosenblatt**,  
*Acting Director, Registration Division, Office of Pesticide Programs.*

Therefore, 40 CFR chapter I is amended as follows:

**PART 180—[AMENDED]**

- 1. The authority citation for part 180 continues to read as follows:  
**Authority:** 21 U.S.C. 321(q), 346a and 371.
- 2. Section 180.586 is amended by revising paragraph (a)(1) introductory text, and by alphabetically adding the commodity “rice, grain” in the table in paragraph (a)(1) to read as follows:

**§ 180.586 Clothianidin; tolerances for residues.**  
(a) *General.* (1) Tolerances are established for residues of the insecticide clothianidin, including its metabolites and degradates. Compliance with the tolerance levels specified below is to be determined by measuring only clothianidin, (*E*)-*N*-[(2-Chloro-5-thiazolyl)methyl]-*N'*-methyl-*N'*-nitroguanidine, in or on the following raw agricultural commodities:

| Commodity   | Parts per million |
|-------------|-------------------|
| Rice, grain | 0.01              |

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**DEPARTMENT OF DEFENSE**  
**Defense Acquisition Regulations System**  
**48 CFR Parts 201 and 212**  
**RIN 0750–AH65**  
**Defense Federal Acquisition Regulation Supplement: Inflation Adjustment of Threshold for Acquisition of Right-Hand Drive Passenger Sedans (DFARS Case 2012–D016)**  
**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Final rule.  
**SUMMARY:** DoD is adopting as final, without change, an interim rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to implement a section of the National Defense Authorization Act for Fiscal Year 2012 that requires adjustment of the statutory dollar limitation on the acquisition of right-hand drive passenger sedans.  
**DATES:** *Effective Date:* August 29, 2012.  
**FOR FURTHER INFORMATION CONTACT:** Ms. Amy Williams, telephone 571–372–6106.  
**SUPPLEMENTARY INFORMATION:**

## I. Background

DoD published an interim rule in the **Federal Register** at 77 FR 19127 on March 30, 2012, to implement section 814(b) of the National Defense Authorization Act for Fiscal Year 2012 (Pub. L. 112–81). The interim rule adjusted the dollar limitation on the acquisition of right-hand drive passenger sedans from \$30,000 per vehicle to \$40,000 per vehicle, and included this dollar limitation on the list of statutory acquisition-related dollar thresholds subject to inflation adjustment in accordance with the requirements of 41 U.S.C. 1908. One respondent submitted a public comment in response to the interim rule.

## II. Discussion and Analysis of the Public Comments

The respondent concurred with the inflation threshold increase listed at DFARS 212.271. There were no comments suggesting changes to the interim rule. Therefore, DoD is finalizing the interim rule without change.

## III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 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). E.O. 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 E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

## IV. Regulatory Flexibility Act

DoD certifies that this final rule will 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., because it merely adjusts upward the current limitation for acquisition of right-hand drive passenger vehicles from \$30,000 to \$40,000 due to inflation.

## V. Paperwork Reduction Act

The rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the

Paperwork Reduction Act (44 U.S.C. chapter 35).

## List of Subjects in 48 CFR Parts 201 and 212

Government procurement.

**Manuel Quinones,**  
*Editor, Defense Acquisition Regulations System.*

## Interim Rule Adopted as Final Without Change

■ Accordingly, the interim rule amending 48 CFR parts 201 and 212, which was published at 77 FR 19127 on March 30, 2012, is adopted as a final rule without change.

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## DEPARTMENT OF DEFENSE

### Defense Acquisition Regulations System

#### 48 CFR Parts 209, 210, 215, 217, 230, 237, 245, and 252

#### Defense Federal Acquisition Regulation Supplement; Technical Amendments

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Final rule.

**SUMMARY:** DoD is making technical amendments to the Defense Federal Acquisition Regulation Supplement (DFARS) to provide needed editorial changes.

**DATES:** *Effective Date:* August 29, 2012.

**FOR FURTHER INFORMATION CONTACT:** Mr. Manuel Quinones, Defense Acquisition Regulations System, OUSD(AT&L)DPAP(DARS), Room 3B855, 3060 Defense Pentagon, Washington, DC 20301–3060. Telephone 571–372–6088; facsimile 571–372–6094.

**SUPPLEMENTARY INFORMATION:** This final rule amends the DFARS as follows:

1. Clarifies the designation at 209.403(1) for the Department of Army debarring and suspending official.
2. Revises codes of offices designated to receive reports referenced at 215.403–1(c)(3)(B) and 230.201–5.
3. Directs contracting officers to additional DFARS procedures, guidance, and information by adding references at 210.002, 217.7404, 237.102–77, and 237.102–78.
4. Corrects a form title at 245.7001–6.
6. Corrects a typographical error in clause 252.219–7003, paragraph (f), and revises the clause date.

7. Makes a conforming change to clause 252.225–7017(a) to add Armenia to the definition of “Designated country”, which was inadvertently omitted from publication of the final rule under DFARS Case 2011–D046 (77 FR 30368). The final rule for DFARS Case 2011–D057 (77 FR 4631) had previously added Armenia as a World Trade Organization Government Procurement Agreement country and a designated county.

## List of Subjects in 48 CFR Parts 209, 210, 215, 217, 230, 237, 245, and 252

Government procurement.

**Manuel Quinones,**  
*Editor, Defense Acquisition Regulations System.*

Therefore, 48 CFR parts 209, 210, 215, 217, 230, 237, 245, and 252 are amended as follows:

■ 1. The authority citation for 48 CFR parts 209, 215, 217, 245, and 252 continues to read as follows:

**Authority:** 41 U.S.C. 1303 and 48 CFR chapter 1.

## PART 209—CONTRACTOR QUALIFICATIONS

### 209.403 [Amended]

■ 2. Section 209.403(1) is amended by removing “Director, Soldier & Family Legal Services” and adding in its place “Army—Director, Soldier & Family Legal Services”.

## PART 210—MARKET RESEARCH

■ 3. The authority citation for 48 CFR 210 is revised to read as follows:

**Authority:** 41 U.S.C. 1303 and 48 CFR chapter 1.

■ 4. Section 210.002 is added to read as follows:

### 210.002 Procedures.

When contracting for services, see the market research report guide for improving the tradecraft in services acquisition at PGI 210.070.

## PART 215—CONTRACTING BY NEGOTIATION

### 215.403–1 [Amended]

■ 5. Section 215.403–1(c)(3)(B) is amended by removing “ATTN: DPAP/CPF” and adding in its place “ATTN: DPAP/CPIC”.

## PART 217—SPECIAL CONTRACTING METHODS

■ 6. Section 217.7404 is amended by adding introductory text to read as follows: