

(methoxyimino) acetamide, in or on the following food commodities:

Commodity	Parts per million
Caneberry, subgroup	
13A-07	4.0
Cilantro, leaves	19
* * *	*
Leafy greens, subgroup	
4A	19
Leaf petioles, subgroup	
4B	6.0
* * *	*
Onion, bulb, subgroup 3-	
07A	0.05
Onion, green, subgroup	
3-07B	1.1
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**OFFICE OF PERSONNEL
MANAGEMENT**

48 CFR Part 1633
RIN 3206-AL35

**Federal Employees Health Benefits
Acquisition Regulation: Board of
Contract Appeals**

AGENCY: Office of Personnel
Management.
ACTION: Final rule.

SUMMARY: The Office of Personnel Management (OPM) is adopting as final, without change, the proposed rule published April 7, 2008 to remove the designation of the Armed Services Board of Contract Appeals (ASBCA) from the Federal Employees Health Benefits Acquisition Regulation (FEHBAR).

DATES: Effective October 8, 2008.

FOR FURTHER INFORMATION CONTACT: For further information contact Marguerite Martel, Policy Analyst, at 202-606-1772 or e-mail: marguerite.martel@opm.gov.

SUPPLEMENTARY INFORMATION: OPM published a proposed rule to remove the designation of the ASBCA from the FEHBAR on April 7, 2008, at 73 FR 18729. No comments were received. Accordingly, OPM is adopting the proposed rule without change. The rule implements the provisions of the National Defense Authorization Act of 2006, which created the Civilian Board of Contract Appeals (CBCA) with authority extending to most civilian agencies, including OPM. The CBCA

has now replaced the ASBCA as the venue for claims brought under the Act for the Federal Employees Health Benefits (FEHB) Program. OPM is updating the FEHBAR to eliminate reference to the ASBCA to reflect this change in the law.

Collection of Information Requirement

This rulemaking makes a minor clarifying amendment to the Federal Employees Health Benefits Acquisition Regulations. The rule does not impose information collection and recordkeeping requirements that meet the definition of the Paperwork Reduction Act of 1995's term "collection of information," which means obtaining, causing to be obtained, soliciting, or requiring the disclosure to third parties or the public, of facts or opinions by or for an agency, regardless of form or format, calling for either answers to identical questions posed to, or identical reporting or recordkeeping requirements imposed on ten or more persons, other than agencies, instrumentalities, or employees of the United States; or answers to questions posed to agencies, instrumentalities, or employees of the United States which are to be used for general statistical purposes. Consequently, it need not be reviewed by the Office of Management and Budget under the authority of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) requires agencies to analyze options for regulatory relief of small businesses. For purposes of the RFA, small entities include small businesses, nonprofit organizations, and government agencies with revenues of \$11.5 million or less in any one year. This rulemaking affects FEHB Program carriers and their contractual arrangements that exceed the dollar threshold. Therefore, I certify that this regulation will not have a significant economic impact on a substantial number of small entities.

Regulatory Impact Analysis

We have examined the impact of this proposed rule as required by Executive Order 12866 (September 1993, Regulatory Planning and Review), the RFA (September 16, 1980, Pub. L. 96-354), section 1102(b) of the Social Security Act, the Unfunded Mandates Reform Act of 1995, (Pub. L. 104-4), and Executive Order 13132. Executive Order 12866 (as amended by Executive Order 13258, which merely assigns responsibility of duties) directs 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). A regulatory impact analysis (RIA) must be prepared for major rules with economically significant effects (\$100 million or more in any one year). This rule is not considered a major rule, as defined in title 5, United States Code, section 804(2), because we estimate it will affect only FEHB carriers. Any resulting economic impact would not be expected to exceed the dollar threshold.

Executive Order 12866, Regulatory Review

This rule has been reviewed by the Office of Management and Budget in accordance with Executive Order 12866.

List of Subjects in 48 CFR Part 1633

Government employees, Government procurement, Health insurance. Office of Personnel Management.
Howard Weizmann,
Deputy Director.

■ Accordingly, under the authority of 5 U.S.C. 8913; 40 U.S.C. 486(c); 48 CFR 1.301 OPM is amending chapter 16 of title 48 of the Code of Federal Regulations by removing and reserving part 1633.

PART 1633—[RESERVED]

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**OFFICE OF PERSONNEL
MANAGEMENT**

48 CFR Part 2133
RIN 3206-AL46

**Federal Employees Group Life
Insurance; Federal Acquisition
Regulation: Board of Contract Appeals**

AGENCY: Office of Personnel
Management.
ACTION: Final rule.

SUMMARY: The Office of Personnel Management (OPM) is adopting as final, without change, the proposed rule published April 7, 2008 to remove the designation of the Armed Services Board of Contract Appeals (ASBCA) from the Federal Employees Group Life Insurance Federal Acquisition Regulation (LIFAR).

DATES: Effective October 8, 2008.

FOR FURTHER INFORMATION CONTACT: For further information contact Marguerite