

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 FFDCA section 408(d), 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 action 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 FFDCA section 408(n)(4). 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 action. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1501 et seq.).

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 (NTTAA) (15 U.S.C. 272 note).

VII. Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 et seq.), 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 the rule in the **Federal Register**. This action 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: June 1, 2018.

Daniel J. Rosenblatt,
Deputy 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. In § 180.686, add alphabetically the commodities: "Bluegrass, forage"; "Bluegrass, hay"; "Bluegrass, straw"; "Bromegrass, forage"; "Bromegrass, hay"; "Bromegrass, straw"; "Fescue, forage"; "Fescue, hay"; "Fescue, straw"; "Orchardgrass, forage"; "Orchardgrass, hay"; "Orchardgrass, straw"; "Ryegrass, forage"; "Ryegrass, hay"; and "Ryegrass, straw" to the table in paragraph (a) to read as follows:

§ 180.686 Benzovindiflupyr; tolerances for residues.

(a) * * *

Commodity	Parts per million
* * * * *	*
Bluegrass, forage	0.15
Bluegrass, hay	7.0
Bluegrass, straw	6.0
Bromegrass, forage	0.15
Bromegrass, hay	7.0
Bromegrass, straw	6.0
* * * * *	*
Fescue, forage	0.15
Fescue, hay	7.0
Fescue, straw	6.0
* * * * *	*
Orchardgrass, forage	0.15
Orchardgrass, hay	7.0
Orchardgrass, straw	6.0
* * * * *	*
Ryegrass, forage	0.15
Ryegrass, hay	7.0
Ryegrass, straw	6.0
* * * * *	*

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 1802

RIN 2700-AE46

NASA Federal Acquisition Regulation Supplement: Removal of Definitions (NFS Case 2018-N017)

AGENCY: National Aeronautics and Space Administration.

ACTION: Direct final rule.

SUMMARY: NASA is issuing a final rule to amend the NASA Federal Acquisition Regulation (FAR) Supplement (NFS) to remove definitions which affect only the internal Agency administrative procedures and have no cost or administrative impact on contractors or prospective contractors.

DATES: This final rule is effective August 21, 2018. Comments due on or before July 23, 2018. If adverse comments are received, NASA will publish a timely withdrawal of the rule in the **Federal Register**.

ADDRESSES: Submit comments identified by NFS Case 2018-N017, using any of the following methods:
• *Federal eRulemaking Portal:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by searching for "NFS Case 2018-N017". Select the link "Comment Now" that corresponds with "NFS Case 2018-N017". Follow the instructions provided on the screen. Please include your name, company name (if any), and "NFS Case 2018-N017" on any uploaded files.

• *Email:* geoffrey.s.sage@nasa.gov. Include "NFS Case 2018-N017" in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Geoffrey S. Sage, NASA Headquarters, Office of Procurement, Contract and Grant Policy Division, Suite 5K32, 300 E Street SW, Washington, DC 20456-0001. Telephone 202-358-2420.

SUPPLEMENTARY INFORMATION:

I. Background

NFS part 1802, Definitions of Words and Terms, contains the following definitions that affect only the internal Agency administrative procedures and have no cost or administrative impact on contractors or prospective contractors: Administrator, Contracting activity, Head of the agency or agency head, Head of the contracting activity (HCA), NASA Acquisition internet Service (NAIS), Procurement officer, and Senior Procurement Executive. Pursuant to Executive Order 13563, Improving Regulation and Regulatory

Review, and Executive Order 13777, Enforcing the Regulatory Reform Agenda, NASA is continually reviewing existing regulations with the objective of reducing or removing any unnecessary, outdated and burdensome requirements that have outlived their intended purpose. Because the definitions affect only the internal Agency administrative procedures they can be removed from the regulatory section of the NFS.

NASA does not anticipate opposition to the changes or significant adverse comments. However, if the Agency receives significant adverse comment, it will withdraw this final rule by publishing a document in the **Federal Register**. A significant adverse comment is one that explains: (1) Why the final rule is inappropriate, including challenges to the rule's underlying premise or approach; or (2) why the final rule will be ineffective or unacceptable without change. In determining whether a comment necessitates withdrawal of this final rule, NASA will consider whether it warrants a substantive response in a notice and comment process.

II. Publication of This Final Rule for Public Comment Is Not Required by Statute

Publication of proposed regulations, 41 U.S.C. 1707, is the statute which applies to the publication of the Federal Acquisition Regulation (FAR). Paragraph (a)(1) of the statute requires that a procurement policy, regulation, procedure or form (including an amendment or modification thereof) must be published for public comment if it relates to the expenditure of appropriated funds, and has either a significant effect beyond the internal operating procedures of the agency issuing the policy, regulation, procedure or form, or has a significant cost or administrative impact on contractors or offerors. This final rule is not required to be published for public comment because it makes nonsubstantive changes to Agency regulations that has no impact on contractors or prospective offerors as the definitions being removed affect only the internal Agency administrative procedures.

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. Executive Order 13371

This rule is not subject to Executive Order (E.O.) 13771, Reducing Regulation and Controlling Regulatory Costs, because this rule is not a significant regulatory action under E.O. 12866.

V. Regulatory Flexibility Act

The Regulatory Flexibility Act does not apply to this rule because this final rule does not constitute a significant NFS revision within the meaning of FAR 1.501-1 and 41 U.S.C. 1707 and therefore does not require publication for public comment.

VI. 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 Part 1802

Government procurement.

Geoffrey Sage,

NASA FAR Supplement Manager.

PART 1802—[REMOVED]

■ Accordingly, under the authority of 51 U.S.C. 20113(a), 48 CFR part 1802 is removed.

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 1827 and 1852

RIN 2700-AE45

NASA Federal Acquisition Regulation Supplement: Removal of Reference to the Supplemental Rights in Data Special Works Policy and Associated Clause (NFS Case 2018-N016)

AGENCY: National Aeronautics and Space Administration.

ACTION: Direct final rule.

SUMMARY: NASA is issuing a final rule to amend the NASA Federal Acquisition Regulation (FAR) Supplement (NFS) to

remove reference to the supplemental rights in data special works policy and associated clause.

DATES: This final rule is effective August 21, 2018. Comments due on or before July 23, 2018. If adverse comments are received, NASA will publish a timely withdrawal of the rule in the **Federal Register**.

ADDRESSES: Submit comments identified by NFS Case 2018-N016, using any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by searching for "NFS Case 2018-N016". Select the link "Comment Now" that corresponds with "NFS Case 2018-N016". Follow the instructions provided on the screen. Please include your name, company name (if any), and "NFS Case 2018-N016" on any uploaded files."

- *Email:* john.brett@nasa.gov. Include "NFS Case 2018-N016" in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: John Brett, NASA Headquarters, Office of Procurement, Contract and Grant Policy Division, Suite 5G25, 300 E Street SW, Washington, DC 20456-0001. Telephone 202-358-0687.

SUPPLEMENTARY INFORMATION:

I. Background

NFS 1827.409(i), and associated clause 1852.227-17, Rights in Data-Special Works, require that whenever the words "establish" and "establishment" are used in clause 52.227-17, Rights in Data, those words shall be construed to mean "assert" and "assertion", respectively. In 2007, 52.227-17 was modified. As a result of the modification, the words "establish" and "establishment" no longer appear in the clause. With the modification of 52.227-17, the requirement for NFS 1827.409(i), and associated clause 1852.227-17, Rights in Data-Special Works, is rendered unnecessary. Pursuant to Executive Order 13563, Improving Regulation and Regulatory Review, and Executive Order 13777, Enforcing the Regulatory Reform Agenda, NASA is continually reviewing existing regulations with the objective of reducing or removing any unnecessary, outdated and burdensome requirements that have outlived their intended purpose, NFS 1827.409(i), and associated clause 1852.227-17, Rights in Data-Special Works, were reviewed and recommended for removal from the NFS since they are no longer applicable under any circumstance.

NASA does not anticipate opposition to the changes or significant adverse