

power and responsibilities among the various levels of government or between the Federal Government and Indian tribes, or otherwise have any unique impacts on local governments. 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) (Public Law 104–4).

Although this action does not 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), EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of any group, including minority and/or low-income populations, in the development, implementation, and

enforcement of environmental laws, regulations, and policies. As such, to the extent that information is publicly available or was submitted in comments to EPA, the Agency considered whether groups or segments of the population, as a result of their location, cultural practices, or other factors, may have atypical or disproportionately high and adverse human health impacts or environmental effects from exposure to the pesticide discussed in this document, compared to the general population.

XI. 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 rule in the **Federal Register**. This rule is not a “major rule” as defined by 5 U.S.C. 804(2).

TABLE 1 TO § 180.960

Polymer					CAS No.
*	*	*	*	*	*
Acrylamide-Sodium Acrylamidomethylpropanesulfonate Copolymer, minimum number average molecular weight (amu), 1,000,000 daltons.					38193–60–1
*	*	*	*	*	*

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DEPARTMENT OF DEFENSE

Department of the Army

48 CFR Part 5108

[Docket No. USA–2019–DARS–0010]

RIN 0702–AB04

Repeal of Obsolete Acquisition Regulation: Required Sources of Supplies and Services

AGENCY: Department of the Army, DOD.
ACTION: Final rule.

SUMMARY: This final rule removes an obsolete Army acquisition regulation which was codified to provide Army-specific procedures for industrial preparedness production planning. This

rule has been made obsolete by time and change in process.

DATES: This rule is effective on July 15, 2019.

FOR FURTHER INFORMATION CONTACT: Mr. John Courtis, 703–697–0888, Email: john.t.courtis.civ@mail.mil.

SUPPLEMENTARY INFORMATION: This final rule will remove 48 CFR part 5108, “Required Sources of Supplies and Services,” which was codified on September 20, 1989 (54 FR 38682), and never updated. The purpose of the rule was to provide Army-specific procedures, for a three-year test period, for industrial preparedness production planning. Over the years, the procedures for industrial preparedness planning in the DoD have evolved. For example, coverage of the DoD Industrial Preparedness Production Planning Program at Defense Federal Acquisition Regulation Supplement (DFARS) subpart 208.72 (Industrial Preparedness Production Planning) was removed on

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 27, 2019.

Donna Davis,

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. In § 180.960, add a heading and alphabetically the following polymers “Acrylamide-Sodium Acrylamidomethylpropanesulfonate Copolymer, minimum number average molecular weight (amu), 1,000,000 daltons” to the table to read as follows:
§ 180.960 Polymers; exemptions from the requirement of a tolerance.

July 11, 2006 (71 FR 39004) because there was no longer a DoD-wide Program. DFARS section 217.208–70, “Additional clauses,” (codified March 9, 1998 (63 FR 11529) and most recently updated December 4, 2018 (83 FR 62503)), prescribes the use of the clause at DFARS 252.217–7001 (Surge Option) when a surge option is needed in support of industrial capability production planning. The clause at DFARS 252.217–7001 (Surge Option) (codified July 31, 1991 (56 FR 36479) and most recently updated December 4, 2018 (83 FR 62503)) informs contractors that the Government has the option to increase the quantity, or accelerate the delivery, of supplies or services under the contract and provides the terms for the exercise of the option and subsequent delivery of the surge quantities. These updates to regulation and process changes made the rule at part 5108 obsolete.

The removal of this text supports a recommendation from the DoD Regulatory Reform Task Force. On February 24, 2017, the President signed Executive Order (E.O.) 13777, “Enforcing the Regulatory Reform Agenda,” which established a Federal policy “to alleviate unnecessary regulatory burdens” on the American people. In accordance with E.O. 13777, DoD established a Regulatory Reform Task Force to review and validate DoD regulations. The DoD Task Force reviewed the requirements of 48 CFR part 5108 and determined that the coverage was obsolete and recommended removal.

It has been determined that publication of this CFR part removal for public comment is impracticable, unnecessary, and contrary to public interest since it is based on removing obsolete information. Additionally, the statute that applies to the publication of the Federal Acquisition Regulation (FAR) is 41 U.S.C. 1707 entitled “Publication of Proposed Regulations.” 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 the Army is not issuing a new regulation; rather, this rule merely removes obsolete parts from chapter 51 of title 48 of the CFR.

This rule is not significant under Executive Order (E.O.) 12866, “Regulatory Planning and Review”; therefore, the requirements of E.O. 13771, “Reducing Regulation and Controlling Regulatory Costs” do not apply.

List of Subjects in 48 CFR Part 5108

Government procurement.

PART 5108—[REMOVED]

■ Accordingly, by the authority of 5 U.S.C. 301, 48 CFR part 5108 is removed.

Brenda S. Bowen,

Army Federal Register Liaison Officer.

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DEPARTMENT OF DEFENSE

Department of the Army

48 CFR Part 5119

[Docket No. USA-2019-DARS-0011]

RIN 0702-AB05

Repeal of Obsolete Acquisition Regulation: Small Business and Small Disadvantaged Business Concerns

AGENCY: Department of the Army, DOD.

ACTION: Final rule.

SUMMARY: This final rule removes an obsolete Army acquisition regulation which was codified to implement a section of public law that is no longer in effect. This rule has been made obsolete by time and the existence of higher-level regulation.

DATES: This rule is effective on July 15, 2019.

FOR FURTHER INFORMATION CONTACT: Mr. John Courtis, 703-697-0888, Email: john.t.courtis.civ@mail.mil.

SUPPLEMENTARY INFORMATION: This final rule will remove 48 CFR part 5119, “Small Business and Small Disadvantaged Business Concerns,” which was codified on April 18, 1989 (54 FR 15410), and never updated. The purpose of the rule was to implement Public Law 100-656, section 722, “Expanding small business participation in dredging,” which directed the Secretary of the Army to conduct a program to expand the participation of small business concerns in contracting opportunities for dredging. The authority was effective through 30 September 1992.

Current Federal Acquisition Regulation (FAR), Defense Federal Acquisition Regulation Supplement (DFARS) provides for maximum practicable opportunity to small businesses at both the prime contract and subcontract levels. For example, FAR 19.502-1, which provides requirements for setting aside acquisitions for small businesses, was codified on December 18, 1998 (63 FR 70270) and most recently updated on July 2, 2015 (80 FR 38298). The clause at FAR 52.219-6, “Notice of Total Small Business Set-Aside,” (codified September 19, 1983 (48 FR 42478) and most recently updated November 2, 2011 (76 FR 68036)) and other FAR clauses for set-asides under specific small business categories (e.g., women-owned small businesses), along with the clause at FAR 52.219-9, “Small Business Subcontracting Plan,”

(codified September 19, 1983 (48 FR 42478) and most recently updated August 22, 2018 (83 FR 42571)) are used to ensure maximum small business participation at the prime and subcontractor levels. The expiration of the statutory authority and the existence of higher-level regulations concerning small business participation made the rule at part 5119 obsolete.

The removal of this text supports a recommendation from the DoD Regulatory Reform Task Force. On February 24, 2017, the President signed Executive Order (E.O.) 13777, “Enforcing the Regulatory Reform Agenda,” which established a Federal policy “to alleviate unnecessary regulatory burdens” on the American people. In accordance with E.O. 13777, DoD established a Regulatory Reform Task Force to review and validate DoD regulations. The DoD Task Force reviewed the requirements of 48 CFR part 5119 and determined that the coverage was obsolete and recommended removal.

It has been determined that publication of this CFR part removal for public comment is impracticable, unnecessary, and contrary to public interest since it is based on removing obsolete information. Additionally, the statute that applies to the publication of the Federal Acquisition Regulation (FAR) is 41 U.S.C. 1707 entitled “Publication of Proposed Regulations.” 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 the Army is not issuing a new regulation; rather, this rule merely removes obsolete parts from chapter 51 of title 48 of the CFR.

This rule is not significant under Executive Order (E.O.) 12866, “Regulatory Planning and Review”; therefore, the requirements of E.O. 13771, “Reducing Regulation and Controlling Regulatory Costs” do not apply.

List of Subjects in 48 CFR Part 5119

Government procurement.