

is not a rule under the APA (5 U.S.C. 551(4)), and does 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 does not contain any information collections or impose additional burdens that require approval by OMB under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*). Nor does this order 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).

This order 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 State 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 order. In addition, this order does not impose any enforceable duty or contain any unfunded mandate as described in the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1531–1538).

### VIII. Congressional Review Act (CRA)

The CRA (5 U.S.C. 801 *et seq.*) does not apply to this action because this order is not a rule as that term is defined in 5 U.S.C. 804(3). EPA will, however, submit a courtesy copy of this document to each House of the Congress and to the Comptroller General of the United States.

### List of Subjects in 40 CFR Part 180

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

Dated: April 9, 2015.

**Jack E. Housenger**,  
*Director, 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 § 180.254, revise the table in paragraph (a) and revise paragraph (c) to read as follows:

#### § 180.254 Carbofuran; tolerances for residues.

(a) \* \* \*

Commodity	Parts per million
Banana <sup>1</sup> .....	0.1
Coffee, bean, green <sup>1</sup> .....	0.1
Rice, grain <sup>1</sup> .....	0.2
Sugarcane, cane <sup>1</sup> .....	0.1

<sup>1</sup> There are no U.S. registrations for use of carbofuran on these commodities.

\* \* \* \* \*

(c) *Tolerances with regional registrations.* [Reserved]

\* \* \* \* \*

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### GENERAL SERVICES ADMINISTRATION

#### 41 CFR Part 102–42

[FMR Change 2015–02; FMR Case 2014–102–3; Docket No. 2014–0019; Sequence No. 1]

RIN 3090–AJ49

#### Federal Management Regulation; Utilization, Donation, and Disposal of Foreign Gifts and Decorations

**AGENCY:** Office of Government-wide Policy, General Services Administration.

**ACTION:** Final rule.

**SUMMARY:** The General Services Administration (GSA) is amending the Federal Management Regulation (FMR). This amendment changes the means by which GSA publishes the redefined foreign gift minimal value rates and adds the term and definition of “spouse”.

**DATES:** *Effective:* April 17, 2015.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Holcombe, Office of Government-wide Policy, Office of Asset and Transportation Management (MA), at 202–501–3828 or by email at

[Robert.Holcombe@gsa.gov](mailto:Robert.Holcombe@gsa.gov) for clarification of content. For information pertaining to status or publication schedules contact the Regulatory Secretariat at 202–501–4755. Please cite FMR Case 2014–102–3.

### SUPPLEMENTARY INFORMATION:

#### A. Background

Every three years, GSA is required to redefine the “minimal value” of foreign gifts under 5 U.S.C. 7342. In order for GSA to consult with the Secretary of State and publish this revised figure as closely to the effective date (January 1st) as possible, the redefined values will be published in a Federal Management Regulation (FMR) Bulletin at [www.gsa.gov/personalpropertypolicy](http://www.gsa.gov/personalpropertypolicy).

In addition, the definition of minimal value is being amended to state that an employing agency may, by regulation, define “minimal value” for its agency employees to be less than the GSA definition, in accordance with 5 U.S.C. 7342(a)(5)(B).

Finally, the term and definition of “spouse” is added to FMR part 102–42. Section 3 of the Defense of Marriage Act (DOMA), codified at 1 U.S.C. 7, provided that, when used in a Federal law, the term “spouse” referred only to a person of the opposite sex who is a husband or a wife. Because of DOMA, the Federal Government has been heretofore prohibited from recognizing marriages of same-sex couples for all Federal purposes, including asset management policies. On June 26, 2013, in *United States v. Windsor*, 570 U.S. 12 (2013), 133 S. Ct. 2675 (2013), the Supreme Court of the United States (Supreme Court) held Section 3 of DOMA unconstitutional. As a result, GSA is adding the definition of the term “spouse” to this part for clarity. This case is included in GSA’s retrospective review of existing regulations under Executive Order 13563. Additional information is located in GSA’s retrospective review (2014) available at: [www.gsa.gov/improvingregulations](http://www.gsa.gov/improvingregulations).

#### B. Changes

This final rule:

(1) Changes the means by which GSA publishes updates to the definition of “minimal value” and makes the information available to the public;

(2) Adds the term and a definition for the term “spouse” to 41 CFR part 102–42; and

(3) Changes the citations in the authority section to reflect the codification of Title 40, United States Code, into positive law.

**C. 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 final rule 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 final rule is not a major rule under 5 U.S.C. 804.

**D. Regulatory Flexibility Act**

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.* This final rule is also exempt from the Administrative Procedure Act per 5 U.S.C. 553(a)(2) because it applies to agency management or public property.

**E. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply because the changes to the FMR do not impose information collection requirements that require the approval of the Office of Management

and Budget under 44 U.S.C. 3501, *et seq.*

**F. Small Business Regulatory Enforcement Fairness Act**

This final rule is exempt from Congressional review under 5 U.S.C. 801 since it does not substantially affect the rights or obligations of non-agency parties.

**List of Subjects in 41 CFR Part 102–42**

Conflict of interests, Decorations, medals, awards, Foreign relations, Government property, Government property management.

Dated: April 3, 2015.

**Denise Turner Roth,**

*Acting Administrator of General Services.*

For the reasons set forth in the preamble, GSA is amending 41 CFR part 102–42 as set forth below:

**PART 102–42—UTILIZATION, DONATION, AND DISPOSAL OF FOREIGN GIFTS AND DECORATIONS**

- 1. The authority citation for part 102–42 is revised to read as follows:

**Authority:** 40 U.S.C. 121(c); sec. 515, 5 U.S.C. 7342 (91 Stat. 862).

- 2. Amend § 102–42.10 by revising the definition “Minimal value”; and alphabetically adding the definition “Spouse” to read as follows:

**§ 102–42.10 What definitions apply to this part?**

\* \* \* \* \*

*Minimal value* means a retail value in the United States at the time of acceptance that is at or below the dollar value established by GSA and published in a Federal Management Regulation (FMR) Bulletin at [www.gsa.gov/personalpropertypolicy](http://www.gsa.gov/personalpropertypolicy).

(1) GSA will adjust the definition of minimal value every three years, in consultation with the Secretary of State, to reflect changes in the Consumer Price Index for the immediately preceding 3-year period.

(2) An employing agency may, by regulation, specify a lower value than this Government-wide value for its agency employees.

*Spouse* means any individual who is lawfully married (unless legally separated), including an individual married to a person of the same sex who was legally married in a state or other jurisdiction (including a foreign country), that recognizes such marriages, regardless of whether or not the individual’s state of residency recognizes such marriages. The term *spouse* does not include individuals in a formal relationship recognized by a state, which is other than lawful marriage; it also does not include individuals in a marriage in a jurisdiction outside the United States that is not recognized as a lawful marriage under United States law.

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