

provision, who are appointed for 15-year terms, OPM estimates the number of affected employees is *de minimus*.

**Regulatory Flexibility Act**

The Regulatory Flexibility Act of 1980 (Pub. L. 96-354) (RFA) establishes “as a principle of regulatory issuance that agencies shall endeavor, consistent with the objectives of the rule and of applicable statutes, to fit regulatory and informational requirements to the scale of the businesses, organizations, and governmental jurisdictions subject to regulation.” To achieve this principle, agencies are required to solicit and consider flexible regulatory proposals and to explain the rationale for their actions to assure that such proposals are given serious consideration.” The RFA covers a wide range of small entities, including small businesses, not-for-profit organizations, and small governmental jurisdictions.

Agencies must perform a review to determine whether a rule will have a significant economic impact on a substantial number of small entities. If the agency determines that it will, the agency must prepare a regulatory flexibility analysis as described in the RFA. I certify that this regulation will not have a significant economic impact on a substantial number of small entities because the regulation only affects a small number of Federal employees and annuitants.

**Executive Order 12866, Regulatory Review**

This proposed rule has been reviewed by the Office of Management and Budget in accordance with Executive Orders 13563 and 12866.

**Executive Order 13771, Reducing Regulation and Controlling Regulatory Costs**

This proposed rule is not expected to be an E.O. 13771 regulatory action because this proposed rule is not significant under Executive Order 12866. The proposed rule makes minimal changes to coverage for certain judges, and clarifies that annual basic pay for FEGLI includes any type of pay treated as basic pay for purposes of the retirement systems established under 5 U.S.C. chapters 83 and 84 consistent with applicable law or OPM regulation.

This proposed rule is not subject to the requirements of E.O. 13771 (82 FR 9339, February 3, 2017) because it is related to agency organization, management, or personnel and affects only a small number of federal employees and annuitants.

**Federalism**

We have examined this rule in accordance with Executive Order 13132, Federalism, and have determined that this rule will not have any negative impact on the rights, roles and responsibilities of State, local, or tribal governments.

**Paperwork Reduction Act**

The Paperwork Reduction Act of 1995 (44 U.S.C. chapter 3507(d); see 5 CFR part 1320) requires that the U.S. Office of Management and Budget (OMB) approve all collections of information by a Federal agency from the public before they can be implemented. Respondents are not required to respond to any collection of information unless it displays a current valid OMB control number. OPM is not proposing any additional collections in this rule. This rule does not affect any existing collections.

**List of Subjects in 5 CFR Part 870**

Administrative practice and procedure, Government employees, Hostages, Iraq, Kuwait, Lebanon, Life Insurance, Retirement.

Office of Personnel Management.

**Jeff T.H. Pon,**  
*Director.*

For the reasons stated in the preamble, OPM is proposing to amend part 870 of title 5 of the Code of Federal Regulations as follows:

**PART 870—FEDERAL EMPLOYEES’ GROUP LIFE INSURANCE PROGRAM**

■ 1. The authority citation for Part 870 continues to read:

**Authority:** 5 U.S.C. 8716; Subpart J also issued under section 599C of Pub. L. 101-513, 104 Stat. 2064, as amended; Sec. 870.302(a)(3)(ii) also issued under section 153 of Pub. L. 104-134, 110 Stat. 1321; Sec. 870.302(a)(3) also issued under sections 11202(f), 11232(e), and 11246(b) and (c) of Pub. L. 105-33, 111 Stat. 251, and section 7(e) of Pub. L. 105-274, 112 Stat. 2419; Sec. 870.302(a)(3) also issued under section 145 of Pub. L. 106-522, 114 Stat. 2472; Secs. 870.302(b)(8), 870.601(a), and 870.602(b) also issued under Pub. L. 110-279, 122 Stat. 2604; Subpart E also issued under 5 U.S.C. 8702(c); Sec. 870.601(d)(3) also issued under 5 U.S.C. 8706(d); Sec. 870.703(e)(1) also issued under section 502 of Pub. L. 110-177, 121 Stat. Start Printed Page 773662542; Sec. 870.705 also issued under 5 U.S.C. 8714b(c) and 8714c(c); Public Law 104-106, 110 Stat. 521.

■ 2. Amend § 870.101 by revising the definition of *Employing Office*, to read as follows:

**§ 870.101 Definitions.**

*Employing Office*  
\* \* \* \* \*

(4) The United States Court of Appeals for Veterans Claims is the employing office for judges of the United States Court of Appeals for Veterans Claims.

\* \* \* \* \*

■ 3. Amend § 870.204 by revising paragraph (a) to read as follows:

**§ 870.204 Annual rates of pay.**

(a)(1) An employee’s annual pay is the annual basic pay of the position as fixed by law or regulation, except as otherwise provided by specific provision of law or OPM regulation. Annual pay for this purpose includes the following:

(i) Any pay of a type that is treated as basic pay for purposes of the retirement systems established under 5 U.S.C. chapters 83 and 84, consistent with 5 U.S.C. 8331(3);

(ii) Any geographic-based pay supplement that is equivalent to a locality-based comparability payment under 5 U.S.C. 5304; and

(iii) Any special pay supplement for a defined subcategory of employees that is equivalent to a special rate supplement under 5 U.S.C. 5305.

(2) Notwithstanding paragraph (a)(1) of this section, annual basic pay does not include the following:

(i) Bonuses, allowances, overtime pay, or any other pay to a covered civilian employee given in addition to the base pay of the position, except as otherwise provided by specific provision of law or OPM regulation.

(ii) Physicians comparability allowances under 5 U.S.C. 5948.

\* \* \* \* \*

■ 4. Amend § 870.703 by adding paragraph (e)(1)(vii) to read as follows:

**§ 870.703 Election of Basic insurance.**

\* \* \* \* \*

(e) \* \* \*  
(1) \* \* \*  
(vii) 38 U.S.C. 7296.

\* \* \* \* \*

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**DEPARTMENT OF AGRICULTURE**

**Agricultural Marketing Service**

**7 CFR Part 810**

**[Doc. No. AMS-FGIS-18-0053]**

**United States Standards for Canola**

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Request for information.

**SUMMARY:** The United States Department of Agriculture’s (USDA) Agricultural

Marketing Service (AMS) is seeking comments from the public regarding the United States (U.S.) Standards for Canola under the United States Grain Standards Act (USGSA). To ensure that standards and official grading practices remain relevant, AMS invites interested parties to comment on whether the current canola standards and grading practices need to be changed.

**DATES:** We will consider comments we receive by August 28, 2018.

**ADDRESSES:** Submit comments or notice of intent to submit comments by any of the following methods:

- *Postal Mail:* Please send your comment addressed to Kendra Kline, AMS, USDA, 1400 Independence Avenue SW, Room 2043-S, Washington, DC 20250-3614.

- *Hand Delivery or Courier:* Kendra Kline, AMS, USDA, 1400 Independence Avenue SW, Room 2043-S, Washington, DC 20250-3614.

- *Internet:* Go to <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

**FOR FURTHER INFORMATION CONTACT:**

Patrick McCluskey, USDA AMS; Telephone: (816) 659-8403; Email: [Patrick.J.McCluskey@ams.usda.gov](mailto:Patrick.J.McCluskey@ams.usda.gov).

**SUPPLEMENTARY INFORMATION:** Section 4 of the USGSA (7 U.S.C. 76(a)) grants the Secretary of Agriculture the authority to establish standards for canola and other grains regarding kind, class, quality, and condition. The canola standards were established by USDA on February 28, 1992 (57 FR 3271) and appear in the USGSA regulations at 7 CFR 810.301-810.306. The standards facilitate canola marketing and define U.S. canola quality in the domestic and global marketplace. The standards define commonly used industry terms; contain basic principles governing the application of standards, such as the type of sample used for a particular quality analysis; the basis of determination; and specify grades and grade requirements. Official procedures for determining grading factors are provided in Grain Inspection Handbook, Book II, Chapter 3, "Canola". The Handbook also includes standardized procedures for additional quality attributes not used to determine grade, such as dockage and moisture content. Together, the grading standards and official procedures allow buyers and sellers to communicate quality requirements, compare canola quality using equivalent forms of measurement, and assist in price discovery.

The realignment of offices within the U.S. Department of Agriculture authorized by the Secretary's Memorandum dated November 14,

2017, "Improving Customer Service and Efficiency", eliminates the Grain Inspection, Packers and Stockyards Administration (GIPSA) as a standalone agency. Federal Grain Inspection Service (FGIS) activities, formerly part of GIPSA, are now organized under AMS. FGIS grading and inspection services are provided through a network of federal, state, and private laboratories that conduct tests to determine the quality and condition of canola. These tests are conducted in accordance with applicable standards using approved methodologies and can be applied at any point in the marketing chain. Furthermore the tests yield rapid, reliable, and consistent results. In addition, FGIS-issued certificates describing the quality and condition of graded canola are accepted as *prima facie* evidence in all Federal courts. U.S. Standards for Canola and the affiliated grading and testing services offered by FGIS verify that a seller's canola meet specified requirements, and ensure that customers receive the quality of canola they purchased.

In order for U.S. standards and grading procedures for canola to remain relevant, AMS is issuing this request for information to invite interested parties to submit comments, ideas, and suggestions on all aspects of the U.S. Standards for Canola and official procedures.

**Authority:** 7 U.S.C. 71-87k.

Dated: June 26, 2018.

**Greg Ibach,**

*Under Secretary, Marketing and Regulatory Programs.*

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## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 810

[Doc. No. AMS-FGIS-18-0052]

#### United States Standards for Corn

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Request for information.

**SUMMARY:** The United States Department of Agriculture's (USDA) Agricultural Marketing Service (AMS) is seeking comments from the public regarding the United States (U.S.) Standards for Corn under the United States Grain Standards Act (USGSA). To ensure that standards and official grading practices remain relevant, AMS invites interested parties to comment on whether the current corn

standards and grading practices need to be changed.

**DATES:** We will consider comments we receive by August 28, 2018.

**ADDRESSES:** Submit comments or notice of intent to submit comments by any of the following methods:

- *Postal Mail:* Please send your comment addressed to Kendra Kline, AMS, USDA, 1400 Independence Avenue SW, Room 2043-S, Washington, DC 20250-3614.

- *Hand Delivery or Courier:* Kendra Kline, AMS, USDA, 1400 Independence Avenue SW, Room 2043-S, Washington, DC 20250-3614.

- *Internet:* Go to <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

**FOR FURTHER INFORMATION CONTACT:**

Patrick McCluskey, USDA AMS; Telephone: (816) 659-8403; Email: [Patrick.J.McCluskey@ams.usda.gov](mailto:Patrick.J.McCluskey@ams.usda.gov).

**SUPPLEMENTARY INFORMATION:** Section 4 of the USGSA (7 U.S.C. 76(a)) grants the Secretary of Agriculture the authority to establish standards for corn and other grains regarding kind, class, quality, and condition. The corn standards, established by USDA on December 1, 1916, were last revised in 1995 (60 FR 61194) and appear in the USGSA regulations at 7 CFR 810.401-810.405. The standards facilitate corn marketing and define U.S. corn quality in the domestic and global marketplace. The standards define commonly used industry terms; contain basic principles governing the application of standards, such as the type of sample used for a particular quality analysis; the basis of determination; and specify grades and grade requirements. Official procedures for determining grading factors are provided in Grain Inspection Handbook, Book II, Chapter 4, "Corn". The Handbook also includes standardized procedures for additional quality attributes not used to determine grade, such as stress crack analysis and moisture content. Together, the grading standards and official procedures allow buyers and sellers to communicate quality requirements, compare corn quality using equivalent forms of measurement, and assist in price discovery.

The realignment of offices within the U.S. Department of Agriculture authorized by the Secretary's Memorandum dated November 14, 2017, "Improving Customer Service and Efficiency", eliminates the Grain Inspection, Packers and Stockyards Administration (GIPSA) as a standalone agency. Federal Grain Inspection Service (FGIS) activities, formerly part of GIPSA, are now organized under