

Commodity	Parts per million
Animal feed, nongrass, group 18	1.0
Barley, grain	0.10
Barley, hay	0.50
Barley, straw	0.50
Buckwheat, grain	0.10
Millet, forage	0.50
Millet, grain	0.10
Millet, hay	0.50
Millet, straw	0.50
Oat, forage	0.50
Oat, grain	0.10
Oat, hay	0.50
Oat, straw	0.50
Rice, grain	0.10
Rye, forage	0.50
Rye, grain	0.10
Rye, straw	0.50
Wheat, forage	0.50
Wheat, grain	0.10
Wheat, hay	0.50
Wheat, straw	0.50

* * * * *

4. Section 180.511 is amended by removing the entry for “Guave” and adding the following commodity to the table in paragraph (a) to read as follows:

§ 180.511 Buprofezin; tolerances for residues.

(a) General. * * *

Commodity	Parts per million
Guava	0.3

* * * * *

5. Section 180.572 is amended by removing the entry for “Guave” and adding the following commodity to the table in paragraph (a) to read as follows:

§ 180.572 Bifenazate; tolerances for residues.

(a) General. * * *

Commodity	Parts per million
Guava	0.9

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GENERAL SERVICES ADMINISTRATION

41 CFR Part 102-39

[FMR Case 2009-102-3; Docket No. 2009-0002, Sequence 3]

RIN 3090-AI92

Federal Management Regulation; Replacement of Personal Property Pursuant to the Exchange/Sale Authority

AGENCY: Office of Governmentwide Policy, General Services Administration (GSA).

ACTION: Proposed rule.

SUMMARY: The General Services Administration (GSA) is proposing to amend the Federal Management Regulation (FMR) by making changes to its policy on the replacement of personal property pursuant to the exchange/sale authority.

DATES: Interested parties should submit comments in writing on or before July 27, 2009 to be considered in the formulation of a final rule.

ADDRESSES: Submit comments identified by FMR case 2009-102-3 by any of the following methods:

- *Regulations.gov:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by inputting “FMR Case 2009-102-3” under the heading “Search Documents”. Select the link “Send a Comment or Submission” that corresponds with FMR Case 2009-102-3. Follow the instructions provided to complete the “Public Comment and Submission Form”. Please include your name, company name (if any), and “FMR Case 2009-102-3” on your attached document.

- *Fax:* 202-501-4067.
- *Mail:* General Services Administration, Regulatory Secretariat (VPR), 1800 F Street, NW., Room 4041, ATTN: Hada Flowers, Washington, DC 20405.

Instructions: Please submit comments only and cite FMR Case 2009-102-3 in all correspondence related to this case. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Holcombe, Office of Governmentwide Policy, Office of Travel, Transportation, and Asset Management (MT), (202) 501-3838 or e-mail at robert.holcombe@gsa.gov. For information pertaining to status or publication schedules contact the

Regulatory Secretariat, 1800 F Street, NW., Room 4041, Washington, DC 20405, (202) 501-4755. Please cite FMR Case 2009-102-3.

SUPPLEMENTARY INFORMATION:

A. Background

This proposed rule would remove the exchange/sale prohibition on aircraft and airframe structural components, subject to certain conditions. These commodities have been included on the list of properties normally ineligible for exchange/sale so that the acquisition and disposal of these commodities could be managed more closely. To conduct an exchange/sale of such commodities (which is encouraged to reduce the agency costs of managing their aircraft fleets), agencies have been required to submit deviation requests for approval by GSA. Adequate tools are now available for managing these assets without going through the time-consuming and onerous deviation process. Further, removing these commodities from the “prohibited list” should not have a detrimental impact on the donation of such property. Finally, although agencies would no longer need to request deviations from GSA, a provision would be added to alert agencies that they must comply with the restrictions and limitations on the disposal of aircraft and aircraft parts contained in 41 CFR part 102-33.

This proposed rule would also remove the prohibition on using scrap in an exchange/sale transaction when the property has utility and value at the time an exchange/sale determination is made. This clarification would address situations where the dismantling or removal of property may render the property as “scrap”, but where replacement of similar property is still required.

Finally, this proposed rule would make a clerical correction to § 102-39.80 to clarify that the time limit restriction on use of exchange/sale exchange allowances is the same as the restriction for use of exchange/sale sales proceeds.

B. Executive Order 12866

This proposed rule is excepted from the definition of “regulation” or “rule” under Section 3(d)(3) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993 and, therefore, was not subject to review under Section 6(b) of that executive order.

C. Regulatory Flexibility Act

This proposed rule is not required to be published in the **Federal Register** for comment. Therefore, the Regulatory

Flexibility Act does not apply. However, this proposed rule is being published in order to elicit comments and to provide transparency in the promulgation of federal policies.

D. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the proposed 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.*

E. Small Business Regulatory Enforcement Fairness Act

This proposed rule is exempt from Congressional review under 5 U.S.C. 801 since it relates solely to agency management and personnel.

List of Subjects in 41 CFR Part 102–39

Government property management and Personal property.

Dated: May 26, 2009.

Stan Kaczmarczyk,

Acting Associate Administrator, Office of Governmentwide Policy.

For the reasons set forth in the preamble, GSA proposes to amend 41 CFR part 102–39 as set forth below:

PART 102–39—REPLACEMENT OF PERSONAL PROPERTY PURSUANT TO THE EXCHANGE/SALE AUTHORITY

1. The authority citation for 41 CFR part 102–39 continues to read as follows:

Authority: 40 U.S.C. 121(c); 40 U.S.C. 503.

2. Amend § 102–39.60—

a. In paragraph (a) by removing the fifth entry “15 Aircraft and airframe structural components (except FSC Class 1560 Airframe Structural Components).”;

b. Revising paragraph (e); and

c. Adding paragraph (m).

The revision and addition read as follows:

§ 102–39.60 What restrictions and prohibitions apply to the exchange/sale of personal property?

* * * * *

(e) Property with a condition code of scrap, as defined at FMR 102–36.40, except:

(1) Property that has utility and value at the point in time when a determination is made to use the exchange/sale authority; or

(2) Scrap gold for fine gold.

* * * * *

(m) Aircraft and aircraft parts, unless there is full compliance with all aircraft and aircraft parts restrictions and

limitations in FMR part 102–33 (41 CFR part 102–33).

§ 102–39.80 [Amended]

3. Amend § 102–39.80, second sentence, by adding “exchanged or” before “sold”.

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AGENCY FOR INTERNATIONAL DEVELOPMENT

48 CFR Parts 704, 713, 714, 715, 744, and 752

RIN 0412–AA63

Partner Vetting in USAID Acquisitions

AGENCY: United States Agency for International Development.

ACTION: Proposed rule.

SUMMARY: The U.S. Agency for International Development (USAID) is considering implementation of a Partner Vetting System for USAID assistance and acquisition awards. The purpose of the Partner Vetting System is to help ensure that USAID funds and other resources do not inadvertently benefit individuals or entities that are terrorists, supporters of terrorists or affiliated with terrorists, while also minimizing the impact on USAID programs and its implementing partners. In order to apply the Partner Vetting System to USAID acquisitions, USAID is proposing to amend 48 CFR Chapter 7. The agency will not apply the Partner Vetting System to USAID acquisitions until after review of the public comments submitted under this proposed rule and promulgation of a final rule by USAID.

DATES: Submit comments on or before August 25, 2009.

ADDRESSES: You may submit comments, identified by RIN number 0412–AA63, by any of the following methods:

• *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

• *E-mail:* AIDARPartnerVetting@usaid.gov.

Include RIN number 0412–AA63 in the subject line of the message.

• *Fax:* 202–216–3135.

• *Mail:* U.S. Agency for International Development, Office of Acquisition & Assistance, Policy Division, 1300 Pennsylvania Avenue, NW., Room 7.9–8, Washington, DC 20523–0001.

Instructions: All submissions received must include the agency name and docket number or Regulatory Information Number (RIN) for this

rulemaking. All comments received will be included in the public docket without change and will be made available online at <http://www.regulations.gov>, including any personal information provided. For detailed instructions on submitting comments and additional information on the rulemaking process, see the “Public Participation” heading of the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT:

Jennifer Norling, Telephone: 202–712–1807, E-mail:

AIDARPartnerVetting@usaid.gov.

SUPPLEMENTARY INFORMATION:

Public Participation: USAID welcomes all comments on this proposed rule, but would most particularly appreciate comments addressing the proposed process for separating source selection from vetting. Additionally, we would appreciate comments on the proposed timing for vetting.

Because security screening precautions have slowed the delivery and dependability of surface mail and hand delivery to USAID/Washington, USAID recommends sending all comments to the Federal eRulemaking Portal. The e-mail address and fax number listed above are provided in the event that submission to the Federal eRulemaking Portal is not convenient (all comments must be in writing to be reviewed). You may submit comments by electronic mail, avoiding the use of any special characters and any form of encryption.

A. Background

In accordance with the Privacy Act of 1974, 5 U.S.C. 552a, USAID established a new system of records (see 72 FR 39042), entitled the “Partner Vetting System” (PVS) to support the vetting of key individuals of non-governmental organizations (NGOs) who apply for USAID contracts, grants, cooperative agreements, or other funding and of NGOs who apply for registrations with USAID as Private and Voluntary Organizations. In January 2009, USAID published a final rule (74 FR 9) to add PVS to its Privacy Act regulation, 22 CFR 215, and to exempt portions of this system of records from one or more provisions of the Privacy Act. The supplementary information to this final rule provided a comprehensive discussion of the legal basis for partner vetting.

The effective date for the PVS Privacy Act final rule has been extended three times, most recently on May 4, 2009 (see 74 FR 20871) and at this time, USAID