

levels of government, as specified in Executive Order 13132, entitled *Federalism* (64 FR 43255, August 10, 1999). Executive Order 13132 requires EPA to develop an accountable process to ensure "meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications." "Policies that have federalism implications" is defined in the Executive Order to include regulations that have "substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government." This final rule directly regulates growers, food processors, food handlers, and food retailers, not States. This action does not alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). For these same reasons, the Agency has determined that this rule does not have any "tribal implications" as described in Executive Order 13175, entitled *Consultation and Coordination with Indian Tribal Governments* (65 FR 67249, November 6, 2000). Executive Order 13175, requires EPA to develop an accountable process to ensure "meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications." "Policies that have tribal implications" is defined in the Executive Order to include regulations that have "substantial direct effects on

one or more Indian tribes, on the relationship between the Federal Government and the Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes." This rule will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this rule.

#### IX. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, 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 final rule in the **Federal Register**. This final rule 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: August 28, 2002.

**Deebra Edwards,**

*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), 346(a) and 374.

2. Section 180.418 is amended by adding paragraph (b) to read as follows:

#### § 180.418 Cypermethrin and an isomer zeta-cypermethrin; tolerances for residues.

\* \* \* \* \*

(b) *Section 18 emergency exemptions.* Time-limited tolerances are established for combined residues of zeta-cypermethrin, methyl(E)-2-(2-(6-(2-cyanophenoxy)pyrimidin-4-yl)oxy)phenyl)-3-methoxyacrylate and the Z isomer of zeta-cypermethrin, methyl (Z)-2-(2-(6-(2-cyanophenoxy)pyrimidin-4-yl)oxy)phenyl)-3-methoxyacrylate in connection with the use of the pesticide under section 18 emergency exemptions granted by EPA in or on the food commodities in the following table. The tolerances expire and will be revoked by EPA on the date specified in the table.

Commodity	Parts per million	Expiration/revocation date
Flax, meal .....	0.2	6/30/2005
Flax, seed .....	0.2	6/30/2005
Mustard, seed .....	1.0	6/30/2005

\* \* \* \* \*

[FR Doc. 02-22606 Filed 8-30-02; 2:45 pm]

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#### GENERAL SERVICES ADMINISTRATION

#### 41 CFR Part 102-42

[FMR Amendment B-1]

RIN 3090-AH53

#### Change in Consumer Price Index Minimal Value

**AGENCY:** Office of Governmentwide Policy, GSA.

**ACTION:** Final rule.

**SUMMARY:** Public Law 95-105 (5 U.S.C. 7342) requires that at 3-year intervals following January 1, 1981, minimal value be redefined by the Administrator of General Services, after consultation with the Secretary of State, to reflect changes in the Consumer Price Index for the immediately preceding 3-year period. The required consultation has been completed and the minimal value has been increased to mean \$285 or less as of January 1, 2002. This final rule also changes the meaning of sale price of foreign gifts and decorations to an employee by removing the requirement of including the cost of the appraisal in the sale price. The sale price is derived from only the commercially appraised value.

**DATES:** *Effective Date:* This final rule is effective January 1, 2002.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Holcombe, Director, Personal Property Management Policy Division, General Services Administration, 202-501-3846. For information pertaining to status or publication schedules, contact the Regulatory Secretariat, Room 4035, GS Building, Washington, DC, 20405, (202) 208-7312. Please cite FMR Amendment B-1.

#### SUPPLEMENTARY INFORMATION:

##### A. Executive Order 12866

The General Services Administration (GSA) has determined that this final rule is not a significant regulatory action

for the purposes of Executive Order 12866 of September 30, 1993.

#### B. Regulatory Flexibility Act

This final rule is not required to be published in the **Federal Register** for notice and comment; therefore, the Regulatory Flexibility Act does not apply.

#### C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because this final rule does not impose recordkeeping or information collection requirements, or the collection of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget (OMB) under 44 U.S.C. 3501, *et seq.*

#### D. Small Business Regulatory Enforcement Fairness Act

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

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

Excess government property,  
Government property management.

For the reasons set forth in the preamble, 41 CFR part 102–42 is amended as follows:

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

1. The authority citation for part 102–42 continues to read as follows:

**Authority:** Sec. 205(c), 63 Stat. 390 (40 U.S.C. 486(c)); sec. 515, 91 Stat. 862 (5 U.S.C. 7342).

##### § 102–42.10 [Amended]

2. Section 102–42.10 is amended in the introductory text of the definition Minimal value by removing “\$260” and adding “\$285” in its place.

3. Section 102–42.140 is revised to read as follows:

##### § 102–42.140 How is a sale of a foreign gift or decoration to an employee conducted?

Foreign gifts and decorations must be offered first through negotiated sales to the employee who has indicated an interest in purchasing the item. The sale price must be the commercially appraised value of the gift. Sales must be conducted and documented in accordance with part 101–45 of this title.

Dated: August 23, 2002.

**Stephen A. Perry,**

*Administrator of General Services.*

[FR Doc. 02–22444 Filed 9–3–02; 8:45 am]

BILLING CODE 6820–23–P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 43 and 63

[IB Docket No. 00–231, FCC 02–154]

#### 2000 Biennial Regulatory Review: International Telecommunications Service

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rules; announcement of effective date.

**SUMMARY:** This document announces the effective date of the rule published on July 9, 2002. Those rules amended the Commission’s rules regarding the provision of international telecommunications service. The Commission also clarified the intent of certain rules and eliminated certain rules that were no longer necessary. The Commission’s action was part of the agency’s 2000 biennial regulatory review.

**DATES:** Sections 43.61, 63.10(d), 63.18(e)(3), 63.19(a) and (b), 63.20(a), and 63.24(e) and (f) are effective September 4, 2002.

**FOR FURTHER INFORMATION CONTACT:** Peggy Reitzel, Policy and Facilities Branch, Telecommunications Division, International Bureau, (202) 418–1460.

**SUPPLEMENTARY INFORMATION:** On June 10, 2002, the Commission released a report and order adopting a number of amendments to Parts 43 and 63 of the Commission’s rules, as well as changes to Commission policy (FCC 02–154), a summary of which was published in the **Federal Register**. See 67 FR 45387 (July 9, 2002). We stated that the rules were effective on August 8, 2002, except for those sections containing new information collection requirements, which required approval by the Office of Management and Budget (OMB). The information collection requirements were approved by OMB on July 30, 2002. See OMB No. 3060–1019. This publication satisfies our statement that the Commission would publish a document announcing the effective date of the rules.

#### List of Subjects in 47 CFR Part 43 and 63

Communications common carriers,  
Reporting and recordkeeping requirements.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 02–22510 Filed 9–3–02; 8:45 am]

BILLING CODE 6712–01–P

## DEPARTMENT OF TRANSPORTATION

### Transportation Security Administration

#### 49 CFR Part 1511

[Docket No. TSA–2002–11334]

RIN 2110–AA02

#### Aviation Security Infrastructure Fees

**AGENCY:** Transportation Security Administration (TSA), DOT.

**ACTION:** Temporary Waiver of Audit Submission Requirements.

**SUMMARY:** TSA is issuing this document to inform all air carriers and foreign air carriers that it will not seek enforcement of the independent audit submission deadline set forth in the Aviation Security Infrastructure Fees regulation, under certain conditions.

**FOR FURTHER INFORMATION CONTACT:** For guidance on technical matters: Randall Fiertz, Acting Director of Revenue, (202) 385–1209. For guidance on legal or other matters: Steven Cohen, Office of Chief Counsel, (202) 493–1216.

**SUPPLEMENTARY INFORMATION:** In order to offset the costs of providing civil aviation security services, TSA published in the **Federal Register** an interim final rule (67 FR 7926; February 20, 2002), codified at 49 CFR part 1511, that imposed the Aviation Security Infrastructure Fee on air carriers and foreign air carriers engaged in air transportation, foreign air transportation, and intrastate air transportation.

Sections 1511.5 and 1511.7 require these carriers to provide TSA with certain information on their costs related to screening passengers and property incurred in 2000. This information was due to be received by TSA by May 18, 2002. Section 1511.9 requires each such carrier to also provide for and submit to TSA an independent audit of these costs, which were due to be received by TSA by July 1, 2002.

As reflected in the public docket on the Aviation Security Infrastructure Fee regulation, TSA–2002–11334, TSA denied several requests that it alter the audit requirement and extend the July 1, 2002 audit deadline.

However, on two occasions TSA announced that it would not seek enforcement against carriers that meet certain criteria by certain dates. The first announcement appeared in TSA’s “Guidance for the Aviation Security Infrastructure Fee,” as published in the **Federal Register** on May 1, 2002 (docket item no. 20). The second announcement was in TSA’s July 24, 2002, letter to the