

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 section 408(n)(4) of the FFDCA. 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.

VIII. Congressional Review Act

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: June 25, 2003.

Debra Edwards,

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 371.

■ 2. Section 180.516 is amended by removing the entry for “Vegetable, brassica, leafy, group” and by alphabetically adding the following commodities to the table in paragraph (a) to read as follows:

§ 180.516 Fludioxonil; tolerances for residues.

(a) * * *

Commodity	Parts per million
Brassica, head and stem, subgroup 5A	2.0
Brassica, leafy greens, subgroup 5B	10
Carrot	0.75
Herb, dried, subgroup 19A	65
Herb, fresh, subgroup 19A	10
Longan	1.0
Lychee	1.0
Pulasan	1.0
Rambutan	1.0
Spanish lime	1.0
Turnip, greens	10

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[FR Doc. 03-16931 Filed 7-2-03; 8:45 am]

BILLING CODE 6560-50-S

DEPARTMENT OF THE INTERIOR

Office of the Secretary

43 CFR Part 10

RIN 1024-AC84

Native American Graves Protection and Repatriation Act Regulations—Civil Penalties; Correction

AGENCY: Department of the Interior.

ACTION: Final rules correction.

SUMMARY: This document corrects the final rule that was published on Thursday, April 3, 2003. This final rule outlines procedures for assessing civil penalties on museums that fail to comply with applicable provisions of the Native American Graves Protection and Repatriation Act of 1990 (“the Act” or “NAGPRA”).

EFFECTIVE DATE: May 5, 2003.

FOR FURTHER INFORMATION CONTACT: Mr. John Robbins, Assistant Director, Cultural Resources, National Park

Service, 1849 C Street NW., (2253), Washington, DC 20240, telephone (202) 354-2269.

SUPPLEMENTARY INFORMATION:

Background

On November 16, 1990, President George Bush signed the Act into law. The Act addresses the rights of lineal descendants, Indian tribes, and Native Hawaiian organizations to Native American human remains, funerary objects, sacred objects, and cultural patrimony with which they are affiliated. Section 9 of the Act authorizes the Secretary of the Interior ("the Secretary") to assess a civil penalty against any museum that fails to comply with the requirements of the Act [25 U.S.C. 3007]. Such penalties must be assessed according to procedures established by the Secretary through regulation. An interim rule establishing civil penalty procedures was published in the **Federal Register** on January 13, 1997 (62 FR 1820), and went into effect on February 12, 1997. A final rule establishing civil penalty procedures was published in the **Federal Register** on April 3, 2003 (68 FR 16354), and went into effect on May 5, 2003. As published, the final rule contains an error that needs to be corrected.

Need for Correction: The correction clarifies the amendatory instruction to make it clear that the final rule published in the **Federal Register** on April 3, 2003 (68 FR 16354) replaces the interim rule published in the **Federal Register** on January 13, 1997 (62 FR 1820).

List of Subjects in 43 CFR Part 10

Administrative practices and procedure, Hawaiian Natives, Historic preservation, Indians—Claims, Museums, Reporting and record-keeping requirements.

■ Accordingly, the final rule amending title 43 CFR part 10 published April 3, 2003 (68 FR 16354) is corrected as follows:

PART 10—NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT REGULATIONS

The authority citation for Part 10 continues to read as follows:

Authority: 25 U.S.C. 3001 *et seq.*

In FR Doc. 03-7947 published on April 3, 2003, (68 FR 16354), make the following technical correction: On page 16360, in the second column, the amendatory instruction below the authority citation indicates that Part 10 is amended by "adding" § 10.12. The sentence is amended to read "Part 10 is amended by revising § 10.12 as follows:".

Dated: June 16, 2003.

Craig Manson,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 03-16802 Filed 7-2-03; 8:45 am]

BILLING CODE 4312-50-P

DEPARTMENT OF THE TREASURY

48 CFR Chapter 10

RIN 1505-AA89

Department of the Treasury Acquisition Regulation

AGENCY: Office of the Procurement Executive, Department of the Treasury.
ACTION: Final rule.

SUMMARY: The Department of the Treasury ("Treasury") is amending the Department of the Treasury Acquisition Regulation (DTAR) in its entirety. Treasury has rewritten the DTAR into plain English. The DTAR includes both policy direction and regulatory guidance. Only regulatory guidance is being published. Treasury has also updated the DTAR to reflect changes to the Federal Acquisition Regulation (FAR) and to establish and encourage participation in the Treasury Mentor-Protégé Program.

DATE: August 4, 2003.

FOR FURTHER INFORMATION CONTACT: Kevin Whitfield, Department of the Treasury, Office of the Procurement Executive, 1500 Pennsylvania Ave., NW., c/o 1310 G St., NW., Suite 400W, Washington, DC 20220. (202) 622-0248.

SUPPLEMENTARY INFORMATION:

I. Background

II. Final Action

III. Statutory and Executive Order Reviews

- A. Executive Order 12866
- B. Executive Order 12988
- C. Regulatory Flexibility Act
- D. Paperwork Reduction Act
- E. National Environmental Policy Act
- F. Executive Order 13132
- G. Unfunded Mandates Reform Act of 1995
- H. Treasury and General Government Appropriation Act, 1999

I. Background

This final rule amends the Department of the Treasury Acquisition Regulation (DTAR). The DTAR, as reissued, uses plain English to improve clarity and understanding; eliminates internal operating procedures that do not have a significant effect beyond Treasury; establishes the Treasury Mentor-Protégé Program and, eliminates coverage that is obsolete or duplicates the FAR. The DTAR is intended to be simple for contractors, offerors, and Treasury contracting personnel to use.

A proposed rule was published in the **Federal Register** (67 FR 76150-67156)

on December 11, 2002, providing for a 30 day comment period. There were no comments received regarding the proposed rule.

II. Final Action

This final rule will amend the Department of the Treasury Acquisition Regulation system. It uses plain English, eliminates internal operating procedures that do not have significant effect beyond Treasury, establishes the Treasury Mentor-Protégé Program, and eliminates coverage that is obsolete or duplicates the FAR.

III. Statutory and Executive Order Reviews

A. Executive Order 12866

This final rule is not a significant regulatory action for the purposes of Executive Order 12866 as supplemented by Executive Order 13132, and is not a major rule under 5 U.S.C. 804; therefore no review is required by the Office of Information and Regulatory Affairs within the Office of Management and Budget (OMB).

B. Executive Order 12988

With respect to the review of existing regulations and the promulgation of new regulations, section 3(a) of Executive Order 12988, Treasury has completed the required review and determined that this final rule meets the relevant standards of Executive Order 12988 as supplemented by Executive Order 13132.

C. Regulatory Flexibility Act

This final regulation does 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, and *et seq.* The analysis requirement of the Act does not apply if the agency certifies that the rule, if promulgated, will not have a significant impact on a substantial number of small entities. The Mentor-Protégé Program does apply to large business and small business firms that receive a form of incentive for assuming the role of mentor to small businesses, other small disadvantaged businesses, qualified HUBZone small businesses, small businesses owned and controlled by service disabled veterans, and small women-owned businesses. It is expected that the protégé entities would directly benefit from the forms of mentoring provided for in this rule.

The other revisions do not add any new requirements, but restate existing