

**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the reporting entity has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

(Securitizer) \_\_\_\_\_

Date \_\_\_\_\_

(Signature)\* \_\_\_\_\_

\* Print name and title of the signing officer under his signature.

\* \* \* \* \*

By the Commission.

Dated: October 4, 2010.

**Elizabeth M. Murphy,**

*Secretary.*

[FR Doc. 2010-25361 Filed 10-12-10; 8:45 am]

**BILLING CODE 8011-01-P**

**DEPARTMENT OF THE TREASURY****Office of the Secretary****31 CFR Part 1****RIN 1505-AC27****Privacy Act of 1974; Proposed Implementation**

**AGENCY:** Departmental Offices, Treasury.  
**ACTION:** Proposed rule.

**SUMMARY:** In accordance with the requirements of the Privacy Act of 1974, 5 U.S.C. 552a, the Department of the Treasury gives notice of a proposed amendment to update its Privacy Act regulations, and to add an exemption from certain provisions of the Privacy Act for a system of records related to the Office of Foreign Assets Control (OFAC).

**DATES:** Comments must be received no later than November 12, 2010.

**ADDRESSES:** Comments should be sent to: Assistant Director, Disclosure Services, Office of Foreign Assets Control, Department of the Treasury, 1500 Pennsylvania Avenue, NW., Washington, DC 20220. The Department will make such comments available for public inspection and copying in the Department's Library, Room 1428, Main Treasury Building, 1500 Pennsylvania Avenue, NW., Washington, DC 20220, on official business days between the hours of 10 a.m. and 5 p.m. Eastern Time. You can make an appointment to inspect comments by telephoning (202) 622-0990 (not a toll free number). All comments, including attachments and other supporting materials, received are part of the public record and subject to public disclosure. You should submit

only information that you wish to make available publicly.

**FOR FURTHER INFORMATION CONTACT:** Assistant Director, Disclosure Services, Office of Foreign Assets Control, Department of the Treasury, 1500 Pennsylvania Avenue, NW., Washington, DC 20220, tel.: 202-622-2510 (not a toll free number), or Chief Counsel (Foreign Assets Control), Office of General Counsel, Department of the Treasury, 1500 Pennsylvania Avenue, NW., Washington, DC 20220, tel.: 202-622-2410 (not a toll free number).

**SUPPLEMENTARY INFORMATION:** In reviewing Treasury regulations implementing the Privacy Act, the Department found that Executive Order 11652 listed in Section 1.26(g)(6)(ii)(A) has been superseded and needs to be updated. This section is being amended to reference Executive Orders 12958, 13526, or successor or prior Executive Orders as may be necessary.

Under 5 U.S.C. 552a(k)(1), the head of an agency may promulgate rules to exempt a system of records from certain provisions of 5 U.S.C. 552a if the system of records is subject to the provisions of 5 U.S.C. 552(b)(1), which regards matters specifically authorized under criteria established by an Executive Order to be kept secret in the interest of national defense or foreign policy and are in fact properly classified pursuant to such Executive Order.

To the extent that systems of records contain information subject to the provisions of 5 U.S.C. 552(b)(1), the Department of the Treasury proposes to exempt the systems of records from the following provisions of the Privacy Act pursuant to 5 U.S.C. 552a(k)(1):

5 U.S.C. 552a(c)(3),  
5 U.S.C. 552a(d)(1), (2), (3), and (4),  
5 U.S.C. 552a(e)(1),  
5 U.S.C. 552a(e)(4)(G), (H), and (I), and  
5 U.S.C. 552a(f).

The reason for invoking the exemption is to protect material authorized to be kept secret in the interest of national defense or foreign policy pursuant to Executive Orders 12958, 13526, or successor or prior Executive Orders.

This document also creates a new table in paragraph 31 CFR 1.36(e)(1) under the new heading designated as "(i) Departmental Offices:". The system of records entitled "DO .120—Records Related to Office of Foreign Assets Control Economic Sanctions" will be added to the table under (i). The current heading "Financial Crimes Enforcement Network:" and the associated table is designated as "(ii)."

The Department of the Treasury has published separately in the **Federal**

**Register** the notice of a consolidated system of records related to OFAC on October 6, 2010, at 75 FR 61853.

This proposed rule is not a "significant regulatory action" under Executive Order 12866.

Pursuant to the requirements of the Regulatory Flexibility Act (RFA), 5 U.S.C. 601-612, it is hereby certified that this rule will not have significant economic impact on a substantial number of small entities. The term "small entity" is defined to have the same meaning as the terms "small business," "small organization," and "small governmental jurisdiction," as defined in the RFA.

The proposed regulation, issued under section 522a(k) of the Privacy Act, is to exempt certain information in the above systems of records within the Department from certain provisions under the Privacy Act, including those regarding notification, access to a record, and amendment of a record by individuals who are citizens of the United States or an alien lawfully admitted for permanent residence. Inasmuch as the Privacy Act rights are personal and apply only to U.S. citizens or an alien lawfully admitted for permanent residence, small entities as defined in the RFA are not provided rights under the Privacy Act and are outside the scope of this regulation.

**List of Subjects in 31 CFR Part 1**

Privacy.

Part 1, subpart C of title 31 of the Code of Federal Regulations is proposed to be amended as follows:

**PART 1—[AMENDED]**

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

**Authority:** 5 U.S.C. 301 and 31 U.S.C. 321. Subpart A also issued under 5 U.S.C. 552, as amended. Subpart C also issued under 5 U.S.C. 552a, as amended.

**Subpart C—Privacy Act**

2. Section 1.26 is amended by revising the first sentence in paragraph (g)(6)(ii)(A) to read as follows:

**§ 1.26 Procedures for notification and access to records pertaining to individuals—format and fees for request for access.**

\* \* \* \* \*

(g) \* \* \*

(6) \* \* \*

(ii) \* \* \*

(A) Requests for information classified pursuant to Executive Orders 12958, 13526, or successor or prior Executive Orders require the responsible component of the Department to review

the information to determine whether it continues to warrant classification pursuant to an Executive Order. \* \* \*

3. Section 1.36 is amended by revising paragraphs (e) and (f) to read as follows:

§ 1.36 Systems exempt in whole or in part from provisions of 5 U.S.C. 522a and this part.

(e) Specific exemptions under 5 U.S.C. 522a(k)(1). (1) Under 5 U.S.C. 522a(k)(1), the head of any agency may promulgate rules to exempt any system of records within the agency from certain provisions of the Privacy Act to the extent that the system contains information subject to the provisions of 5 U.S.C. 522(b)(1). This paragraph applies to the following systems of records maintained by the Department of the Treasury:

(i) Departmental Offices:

Table with 2 columns: Number, System name. Row: DO .120 ..... Records Related to Office of Foreign Assets Control Economic Sanctions.

(ii) Financial Crimes Enforcement Network:

Table with 2 columns: Number, System name. Row: FinCEN .001 FinCEN Database.

(2) The Department of the Treasury hereby exempts the systems of records listed in paragraph (e)(1) of this section from the following provisions of 5 U.S.C. 522a, pursuant to 5 U.S.C. 522a(k)(1): 5 U.S.C. 522a(c)(3), 5 U.S.C. 522a(d)(1), (2), (3), and (4), 5 U.S.C. 522a(e)(1), 5 U.S.C. 522a(e)(4)(G), (H), and (I), and 5 U.S.C. 522a(f).

(f) Reasons for exemptions under 5 U.S.C. 522a(k)(1). The reason for invoking the exemption is to protect material authorized to be kept secret in the interest of national defense or foreign policy pursuant to Executive Orders 12958, 13526, or successor or prior Executive Orders.

Dated: July 16, 2010.

Melissa Hartman,

Acting Deputy Assistant Secretary for Privacy, Transparency, and Records.

[FR Doc. 2010-25756 Filed 10-12-10; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 26

[EPA-HQ-OPP-2010-0785; FRL-8850-2]

RIN 2070-AJ76

Revisions to EPA's Rule on Protections for Subjects in Human Research Involving Pesticides; Notification to the Secretary of Agriculture

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notification to the Secretary of Agriculture.

SUMMARY: This document notifies the public that the Administrator of EPA has forwarded to the Secretary of Agriculture a draft proposed rule as required by section 25(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). As described in the Agency's semi-annual Regulatory Agenda, the draft proposed rule would amend the portions of EPA's rules for the protection of human subjects of research that apply to third parties who conduct or support research for pesticides involving intentional exposure of human subjects, and to persons who submit the results of human research for pesticides to EPA. EPA agreed to propose these amendments as a result of a settlement agreement resolving a judicial challenge to the promulgation of these rules in 2006, and is now seeking comments on these draft proposed amendments from the Secretary of Agriculture. The draft proposed amendments would clarify the applicability of the rules to human testing for pesticides submitted to EPA under any statute, would disallow consent by a legally authorized representative of participants in pesticide studies who cannot consent for themselves, and would identify specific considerations to be addressed in EPA science and ethics reviews of proposed and completed human research for pesticides, based on the recommendations of the National Academy of Sciences and on the Nuremberg Code.

ADDRESSES: EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2010-0785. All documents in the docket are listed in the docket index available in http://www.regulations.gov. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available in the electronic docket at http://www.regulations.gov, or, if only available in hard copy, at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The Docket Facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305-5805.

FOR FURTHER INFORMATION CONTACT: Kelly Sherman, Immediate Office of the Director (7501P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-8401; fax number: (703) 308-4776; e-mail address: sherman.kelly@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does this action apply to me?

This action is directed to the public in general. It simply announces the submission of a draft proposed rule to the U.S. Department of Agriculture (USDA) and does not otherwise affect any specific entities. This action may, however, be of particular interest to pesticide registrants (NAICS code 325320) who sponsor or conduct human research for pesticides, and to other entities that sponsor or conduct human research for pesticides (NAICS code 541710). Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be interested in this action. If you have any questions regarding this action, consult the person listed under FOR FURTHER INFORMATION CONTACT.

II. What action is EPA taking?

Section 25(a)(2) of FIFRA requires the Administrator to provide the Secretary of Agriculture with a copy of any proposed regulation at least 60 days before signing it for publication in the Federal Register. The draft proposed rule is not available to the public until after it has been signed by EPA. If the Secretary comments in writing regarding the draft proposed rule within 30-days after receiving it, the Administrator shall include the comments of the Secretary and the Administrator's response to those comments in the proposed rule when it is published in the Federal Register. If the Secretary does not comment in writing within 30 days after receiving