

attaches, to the extent that it arises for new value given under an authenticated security agreement. Under the law of X, a security interest attaches to such collateral when there is an agreement between the creditor and debtor that the interest attaches, the debtor has rights in the property, and consideration is given by the creditor. Under the law of X, in the case of temporary perfection, the security interest in such property is protected during the 20-day period against a judgment lien arising, after the security interest attaches, out of an unsecured obligation. Upon expiration of the 20-day period, the holder of the security interest must perfect its security interest under local law.

(ii) Because the security interest is perfected during the 20-day period against a subsequent judgment lien arising out of an unsecured obligation, and because filing or the taking of possession before the conclusion of the period of temporary perfection is not considered, for purposes of paragraph (a)(2)(i) of this section, to be a requisite action which relates back to the beginning of such period, the requirements of this paragraph are satisfied. Because filing or taking possession is a condition precedent to continued perfection, filing or taking possession of the collateral is a requisite action to establish such priority after expiration of the period of temporary perfection. If there is a lapse of perfection for failure to take possession, the determination of when the security interest exists (for purposes of protection against the tax lien) is made without regard to the period of temporary perfection.

(3) *Money or money's worth.* For purposes of this paragraph, the term *money or money's worth* includes money, a security (as defined in paragraph (d) of this section), tangible or intangible property, services, and other consideration reducible to a money value. Money or money's worth also includes any consideration which otherwise would constitute money or money's worth under the preceding sentence which was parted with before the security interest would otherwise exist if, under local law, past consideration is sufficient to support an agreement giving rise to a security interest. A firm commitment to part with money, a security, tangible or intangible property, services, or other consideration reducible to a money value does not, in itself, constitute a consideration in money or money's worth. A relinquishing or promised relinquishment of dower, curtesy, or of a statutory estate created in lieu of dower or curtesy, or of other marital rights is not a consideration in money or money's worth. Nor is love and affection, promise of marriage, or any other consideration not reducible to a money value a consideration in money or money's worth.

\* \* \* \* \*

(h) *Effective/applicability date.* This section applies as of the date these regulations are published as final regulations in the **Federal Register**.

**Linda E. Stiff,**

*Deputy Commissioner for Services and Enforcement.*

[FR Doc. E8-8082 Filed 4-16-08; 8:45 am]

**BILLING CODE 4830-01-P**

## CENTRAL INTELLIGENCE AGENCY

### 32 CFR Part 1900

#### Freedom of Information Act; Implementation

**AGENCY:** Central Intelligence Agency.

**ACTION:** Proposed rule.

**SUMMARY:** Consistent with the Freedom of Information Act (FOIA), as amended by the "Openness Promotes Effectiveness in our National Government Act of 2007," and Executive Order 13392, the Central Intelligence Agency (CIA) has undertaken and completed a review of its public FOIA regulations that govern certain aspects of its processing of FOIA requests. As a result of this review, the Agency proposes to revise its FOIA regulations to more clearly reflect the current CIA organizational structure, record system configuration, and FOIA policies and practices and to eliminate ambiguous, redundant and obsolete regulatory provisions. As required by the FOIA, the Agency is providing an opportunity for interested persons to submit comments on these proposed regulations.

**DATES:** Submit comments on or before May 19, 2008.

**ADDRESSES:** Submit comments in writing to the Director of Information Management Services, Central Intelligence Agency, Washington, DC 20505, or by fax to 703-613-3007.

**FOR FURTHER INFORMATION CONTACT:** Joseph W. Lambert, Director of Information Management Services, Central Intelligence Agency, Washington, DC 20505 or by telephone, 703-613-1352.

**SUPPLEMENTARY INFORMATION:** Consistent with the FOIA, as amended by the "Openness Promotes Effectiveness in our National Government Act of 2007," and Executive Order 13392, the CIA has undertaken and completed a review of its public FOIA regulations that govern certain aspects of its processing of FOIA requests. As a result of this review, the Agency proposes to revise its FOIA regulations to more clearly reflect the current CIA organizational structure,

record system configuration, and FOIA policies and practices and to eliminate ambiguous, redundant and obsolete regulatory provisions. These proposed regulatory changes are intended to enhance the administration and operations of the Agency's FOIA program by increasing the transparency and clarity of the regulations governing the Agency's FOIA program. The proposed regulations would establish the positions and responsibilities of the Agency's Chief FOIA Officer, the FOIA Public Liaison and the FOIA Requester Service Center in the Agency's public FOIA regulations. Following the promulgation of Executive Order 13392, the Director of the Central Intelligence Agency designated a senior official to serve as the CIA's Chief FOIA Officer with Agency-wide responsibility for efficient and appropriate compliance with the FOIA. In addition, the Agency created a FOIA Requester Service Center and designated FOIA Public Liaisons to enhance the operation of the Agency's FOIA program and the Agency's responsiveness to FOIA requesters and the public. Consistent with both Executive Order 13392 and the "Openness Promotes Effectiveness in our National Government Act of 2007," the proposed regulations incorporate into the CIA's public FOIA regulations the important functions the Agency's Chief FOIA Officer, the FOIA Public Liaison and the FOIA Requester Service Center have been performing for the past several years. By formally recognizing the key roles these entities play in the Agency's FOIA processes, the proposed regulations promote the administration of a citizen-centered FOIA program and provide the public with important information about the assistance these entities can offer to FOIA requesters and the public.

The proposed regulations would eliminate current regulatory provisions that have had the potential to cause confusion and ambiguity and would more clearly reflect the Agency's current FOIA policies and practices.

The proposed regulations would clarify and confirm the Agency's current FOIA practices of processing FOIA requests and appeals on a "first in, first out" basis using two or more processing queues based on the amount of work or time or both involved and of moving a FOIA request to the front of the processing queue when the Agency has granted that requester's request for expedited processing.

The proposed regulations would eliminate current regulatory provisions that have had the potential to cause confusion and ambiguity regarding how a requester may appeal a denial of a fee

waiver request and how the Agency would adjudicate that appeal. With this change, the Agency's public FOIA regulations would contain clear guidance on how requesters may exercise their rights to appeal denials of fee waiver requests and would remove any ambiguity concerning the responsibility of the Agency Release Panel to adjudicate such appeals.

#### List of Subjects in 32 CFR Part 1900

Classified information, Freedom of Information.

As stated in the preamble, the CIA proposes to amend 32 CFR part 1900 as follows:

### PART 1900—PUBLIC ACCESS TO CIA RECORDS UNDER THE FREEDOM OF INFORMATION ACT (FOIA)

1. Authority citation for part 1900 is revised to read as follows:

**Authority:** 50 U.S.C. 401–442; 50 U.S.C. 403a–403v; 5 U.S.C. 552; E.O. 13292, 68 FR 15315–15334, 3 CFR, 2004 Comp., p. 196–218; E.O. 13392, 70 FR 75373–75377, 3 CFR, 2006 Comp., p. 216–200.

2. Amend § 1900.02 by adding new paragraphs (p), (q), and (r) to read as follows:

#### § 1900.02 Definitions.

\* \* \* \* \*

(p) *Chief FOIA Officer* means the senior CIA official, at the CIA's equivalent of the Assistant Secretary level, who has been designated by the Director of the CIA to have Agency-wide responsibility for the CIA's efficient and appropriate compliance with the FOIA.

(q) *FOIA Requester Service Center* means the office within the CIA where a FOIA requester may direct inquiries regarding the status of a FOIA request or an expression of interest he or she filed at the CIA, requests for guidance on narrowing or further defining the nature or scope of his or her FOIA request, and requests for general information about the FOIA program at the CIA.

(r) *FOIA Public Liaison* means the CIA supervisory official(s) who shall assist in the resolution of any disputes between a FOIA requester and the Agency and to whom a FOIA requester may direct a concern regarding the service he or she has received from CIA and who shall respond on behalf of the Agency as prescribed in these regulations.

3. Revise § 1900.03 to revise to read as follows:

#### § 1900.03 Contact for general information and requests.

(a) To file a FOIA request, an expression of interest, or an

administrative appeal, please direct your written communication to CIA Information and Privacy Coordinator, Central Intelligence Agency, Washington, DC 20505, or via facsimile at (703) 613–3007, in accordance with the requirements of these regulations.

(b) To inquire about the status of a FOIA request or an expression of interest, to request guidance on narrowing or further defining the nature or scope of a FOIA request, or to obtain general information about the FOIA program at CIA, please direct your inquiry to the CIA FOIA Requester Service Center, Central Intelligence Agency, Washington, DC 20505, via facsimile at (703) 613–3007, or via telephone at (703) 613–1287. Collect calls cannot be accepted.

(c) If you are a FOIA requester with a concern about the service you received from the CIA or a member of the public with a suggestion, comment, or complaint regarding the Agency's administration of the FOIA, please direct your concern to the FOIA Public Liaison, Central Intelligence Agency, Washington, DC 20505, via facsimile at (703) 613–3007, or via telephone at (703) 613–1287. Collect calls cannot be accepted.

4. Revise § 1900.04 to read as follows:

#### § 1900.04 Suggestions and complaints.

The CIA remains committed to administering a results-oriented and citizen-centered Freedom of Information Act program, to processing requests in an efficient, timely and appropriate manner, and to working with requesters and the public to continuously improve Agency FOIA operations. The Agency welcomes suggestions, comments, or complaints regarding its administration of the FOIA. Members of the public shall address all such communications to the FOIA Public Liaison as specified at 32 CFR 1900.03. The Agency will respond as determined feasible and appropriate under the circumstances. Requesters seeking to raise concerns about the service received from the CIA FOIA Requester Service Center may contact the FOIA Public Liaison after receiving an initial response from the CIA FOIA Requester Service Center. The FOIA Public Liaison shall assist in the appropriate resolution of any disputes between a FOIA requester and the Agency.

5. Revise § 1900.11 to read as follows:

#### § 1900.11 Preliminary information.

Members of the public shall address all communications as specified at 32 CFR 1900.03. Any CIA office or CIA personnel receiving a written communication from a member of the

public that requests information or that references the FOIA shall expeditiously forward the communication to the CIA Information and Privacy Coordinator. CIA will not accept a request for information under the FOIA or an appeal of an adverse determination submitted by a member of the public who owes outstanding fees for information services at this or other federal agencies and will terminate the processing of any pending requests submitted by such persons to the CIA or to another agency.

6. Revise § 1900.12 to read as follows:

#### § 1900.12 Requirements as to form and content.

(a) *Required information.* Requesters should identify their written communication as a request for information under the Freedom of Information Act. Requests must reasonably describe the records of interest sought by the requester. This means that the records requested must be described sufficiently so that Agency professionals who are familiar with the subject area of the request are able, with a reasonable amount of effort, to determine which particular records are within the scope of the request. All requesters are encouraged to be as specific as possible in describing the records they are seeking by including the date or date range, the title of the record, the type of record (such as memorandum or report), the specific event or action to which the record refers, and the subject matter but requests for electronic communications must specify the dates and parties. Extremely broad or vague requests or requests requiring research do not satisfy this requirement.

(b) *Additional information for fee determination.* In addition, a requester should provide sufficient information to allow us to determine the appropriate fee category. A requester should also provide an agreement to pay all applicable fees or fees not to exceed a certain amount or request a fee waiver.

(c) *Otherwise.* The CIA FOIA Requester Service Center may contact a requester to seek additional or clarifying information or to assist the requester in reformulating his or her request when the request does not meet the requirements of these regulations. A requester seeking to narrow or further define the nature or scope of his or her request may contact the CIA FOIA Requester Service Center as specified at 32 CFR 1900.03.

#### § 1900.13 [Amended]

7. Amend § 1900.13 by removing and reserving paragraph (c).

8. Amend § 1900.33 by revising paragraph (b) to read as follows:

**§ 1900.33 Allocation of resources; agreed extensions of time.**

\* \* \* \* \*

(b) *Discharge of FOIA responsibilities.* The Chief FOIA Officer shall monitor the Agency's compliance with the requirements of the FOIA and administration of its FOIA program. The Chief FOIA Officer shall keep the Director of the CIA, the General Counsel of the CIA, and other officials appropriately informed regarding the Agency's implementation of the FOIA and make recommendations, as appropriate. The Chief FOIA Officer shall designate one of more CIA FOIA Public Liaisons who shall report to the Chief FOIA Officer. The CIA FOIA Public Liaison shall be responsible for assisting in reducing delays, increasing transparency and understanding of the status of requests, and assisting in the resolution of disputes between requesters and the Agency. Components shall exercise due diligence in their responsibilities under the FOIA. Components must allocate a reasonable level of resources to process accepted FOIA requests and administrative appeals on a "first in, first out" basis using two or more processing queues based on the amount of work or time or both involved to ensure that smaller as well as larger cases receive equitable attention, except that when a request for expedited processing has been granted under these regulations components must move that request to the front of the processing queue.

\* \* \* \* \*

**§ 1900.34 [Amended]**

9. Amend § 1900.34 by removing and reserving paragraph (a).

**Joseph W. Lambert,**

*Director, Information Management Services.*  
[FR Doc. E8-8090 Filed 4-16-08; 8:45 am]

**BILLING CODE 6310-02-P**

**DEPARTMENT OF AGRICULTURE**

**Forest Service**

**36 CFR Part 242**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**50 CFR Part 100**

[FWS-R7-SM-2008-0020; 70101-1261-0000L6]

**RIN 1018-AV69**

**Subsistence Management Regulations for Public Lands in Alaska—2008-09 and 2009-10 Subsistence Taking of Wildlife Regulations**

**AGENCIES:** Forest Service, Agriculture; Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule would establish regulations for hunting and trapping seasons, harvest limits, methods, and means related to taking of wildlife for subsistence uses during the 2008-09 and 2009-10 regulatory years. These regulations have been subject to an annual public review cycle, but starting in 2008 the Federal Subsistence Management Program will provide a public review process for subsistence hunting and trapping regulations in even-numbered years and subsistence fishing and shellfish regulations in odd-numbered years. The Program will also address customary and traditional use determinations during the applicable biennial cycle. This cycle adjustment does not affect the public's ability to submit special action requests or requests for reconsideration, as outlined in the regulations. When final, the resulting rulemaking will replace the subsistence wildlife taking regulations, which expire on June 30, 2008. This rule would also amend the customary and traditional use determinations of the Federal Subsistence Board and the general regulations on taking of wildlife.

**DATES:** *Public meetings:* The Board will discuss and evaluate the proposed regulatory changes during a public meeting scheduled to be held in Anchorage, AK, beginning on April 29, 2008. In addition, the Federal Subsistence Regional Advisory Councils held public meetings to receive proposals to change this proposed rule on several dates from August 28, 2007, through October 30, 2007. See **SUPPLEMENTARY INFORMATION** for additional information on the public meetings.

*Public comments:* We will accept comments received or postmarked by

April 22, 2008. In addition, the Federal Subsistence Board accepted written public comments and proposals to change this proposed rule until January 4, 2008.

**ADDRESSES:** *Public meetings:* The Federal Subsistence Board will meet at the Coast International Inn at 3450 Aviation Avenue, Anchorage, Alaska 99517.

*Public comments:* You may submit comments by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *U.S. mail or hand-delivery:* Public Comments Processing, Attn: RIN 1018-AV69; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203.

We will not accept e-mail or faxes. We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us (see the Public Review Process section below for more information).

**FOR FURTHER INFORMATION CONTACT:** Chair, Federal Subsistence Board, c/o U.S. Fish and Wildlife Service, Attention: Peter J. Probasco, Office of Subsistence Management; (907) 786-3888. For questions specific to National Forest System lands, contact Steve Kessler, Regional Subsistence Program Leader, USDA, Forest Service, Alaska Region; (907) 786-3592.

**SUPPLEMENTARY INFORMATION:**

**Background**

Under title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) (16 U.S.C. 3111-3126), the Secretary of the Interior and the Secretary of Agriculture (Secretaries) jointly implement the Federal Subsistence Management Program. This program grants a preference for subsistence uses of fish and wildlife resources on Federal public lands and waters in Alaska. The Secretaries first published regulations to carry out this program in the **Federal Register** on May 29, 1992 (57 FR 22940). The Program has subsequently amended these regulations several times. Because this program is a joint effort between Interior and Agriculture, these regulations are located in two titles of the Code of Federal Regulations (CFR): Title 36, "Parks, Forests, and Public Property," and title 50, "Wildlife and Fisheries," at 36 CFR 242.1-28 and 50 CFR 100.1-28, respectively. The regulations contain subparts as follows: Subpart A, General Provisions; Subpart B, Program