

# Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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## DEPARTMENT OF AGRICULTURE

### Commodity Credit Corporation

#### 7 CFR Part 1494

RIN 0551-AA75

#### Export Bonus Programs

**AGENCY:** Foreign Agricultural Service and Commodity Credit Corporation (CCC), USDA.

**ACTION:** Final rule.

**SUMMARY:** This final rule removes regulations for the Export Enhancement Program (EEP) and the Dairy Export Incentive Program (DEIP) from the Code of Federal Regulations, because the authorities for these programs were repealed by Section 3103 of the Food, Conservation, and Energy Act of 2008, Public Law 110-246, and Section 1423 of the Agricultural Act of 2014, Public Law 113-79, respectively.

**DATES:** This rule is effective January 14, 2015.

**FOR FURTHER INFORMATION CONTACT:** Amy Slusher, Deputy Director, Credit Programs Division, Foreign Agricultural Service, U.S. Department of Agriculture, 1400 Independence Ave. SW., Stop 1025, Room 5509, Washington, DC 20250-1025; telephone (202) 720-6211.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Export Enhancement Program (EEP) was enacted through the Food, Agriculture, Conservation, and Trade Act of 1990 (Pub. L. 101-624). Under the EEP, CCC made available bonuses to enable U.S. exporters to meet prevailing world prices for targeted commodities in targeted destinations. The last year of operation of the EEP was 2001; since that time, U.S. agricultural products have been competitive in world markets and EEP bonuses have not been needed to facilitate sales.

The Dairy Export Incentive Program (DEIP) was enacted through the Food Security Act of 1985 (Pub. L. 99-198). Under the DEIP, CCC made available bonuses to enable U.S. exporters to meet prevailing world prices for certain dairy products in targeted destinations. The last year of operation of the DEIP was 2010; since that time, bonuses have not been needed to facilitate sales.

The primary objective of the EEP and DEIP was to encourage the commercial sale of United States agricultural commodities in world markets at competitive prices. Both programs were subject to annual commodity-specific quantity and budgetary ceilings agreed to by the United States in the World Trade Organization. Congress repealed the authority for the EEP in Section 3103 of the Food, Conservation, and Energy Act of 2008, and subsequently repealed the authority for the DEIP in Section 1423 of the Agricultural Act of 2014.

#### List of Subjects in 7 CFR Part 1494

Agricultural commodities, Exports, Dairy products.

Accordingly, under the authority of Sec. 3103, Public Law 110-246, and Sec. 1423, Public Law 113-79, and as discussed in the preamble, CCC amends 7 CFR chapter XIV by removing and reserving part 1494.

Dated: January 2, 2015.

#### Asif Chaudhry,

*Acting Administrator, Foreign Agricultural Service, and Vice President, Commodity Credit Corporation.*

[FR Doc. 2015-00504 Filed 1-13-15; 8:45 am]

**BILLING CODE 3410-10-P**

## DEPARTMENT OF STATE

### 22 CFR Part 171

[Public Notice: 8870]

RIN 1400-AD65

#### Privacy Act; STATE-78, Risk Analysis and Management Records

**AGENCY:** Department of State.

**ACTION:** Final rule.

**SUMMARY:** The Department of State is issuing a final rule to amend its Privacy Act regulation exempting portions of a system of records from certain provisions of the Privacy Act of 1974.

Certain portions of the Risk Analysis and Management (RAM) Records, State-78, system of records contain criminal investigation records, investigatory material for law enforcement purposes, confidential source information and are proposed to be exempted under the Privacy Act.

**DATES:** This final rule is effective January 14, 2015

**FOR FURTHER INFORMATION CONTACT:** John Hackett, Acting Director; Office of Information Programs and Services, A/GIS/IPS; Department of State, SA-2; 515 22nd Street NW., Washington, DC 20522-8001, or at [Privacy@state.gov](mailto:Privacy@state.gov).

**SUPPLEMENTARY INFORMATION:** The system, Risk Analysis and Management (RAM) Records, designated as State-78, supports the vetting of directors, officers, or other employees of organizations who apply for Department of State contracts, grants, cooperative agreements, or other funding. The information collected from these organizations and individuals is specifically used to conduct screening to ensure that Department funds are not used to provide support to entities or individuals deemed to be a risk to U.S. national security interests. The records may contain criminal investigation records, investigatory material for law enforcement purposes, and confidential source information. (The information collection was approved under OMB Control Number 1405-0204, expiration April 30, 2015.)

The Department of State is issuing this document to amend 22 CFR part 171 to exempt portions of the Risk Analysis and Management Records system of records from the Privacy Act except sections (b), (c)(1) and (2), (e)(4)(A) through (F), (e)(6), (7), (9), (10), and (11), and (i), to the extent to which they meet the criteria of section (j)(2); and from subsections (c)(3);(d); (e)(1); (e)(4)(G), (H), and (I); and (f) of the Privacy Act pursuant to 5 U.S.C. 552a (k)(1), (k)(2), and (k)(5). Consistent with the Privacy Act (5 U.S.C. 552a(k)), 22 CFR 171.36(b)(1), (2), and (5) provide concise general statements on the reasoning behind taking exemptions (k)(1), (k)(2), and (k)(5), respectively, for the Department systems for which those exemptions are taken. For ease of reference, these statements of reasoning are restated here: STATE-78 is exempted under (k)(1) in order to protect material required to be kept

secret in the interest of national defense and foreign policy. STATE-78 is exempted under (k)(2) in order to prevent individuals that are the subject of investigation from frustrating the investigatory process, to ensure the proper functioning and integrity of law enforcement activities, to prevent disclosure of investigative techniques, to maintain the confidence of foreign governments in the integrity of the procedures under which privileged or confidential information may be provided, and to fulfill commitments made to sources to protect their identities and the confidentiality of information and to avoid endangering these sources and law enforcement personnel. STATE-78 is exempted under (k)(5) in order to ensure the proper functioning of the investigatory process, to ensure effective determination of suitability, eligibility, and qualification for employment and to protect the confidentiality of sources of information.

This action was previously published in a Notice of Proposed Rulemaking (76 FR 76103) and a Notice of Intent to Create a System of Records (76 FR 76215). One comment was received by a member of the public who voiced a criticism of an analogous risk assessment program run by USAID. The commenter was advised that the Department's risk assessment program operates separately from USAID's program. The commenter had nothing further to add.

**List of Subjects in 22 CFR Part 171**

Privacy.

For the reasons stated in the preamble, 22 CFR part 171 is amended as follows:

**PART 171—[AMENDED]**

■ 1. The authority citation for part 171 is revised to read as follows:

**Authority:** 5 U.S.C. 552, 552a; 22 U.S.C. 2651a; Pub. L. 95-521, 92 Stat. 1824, as amended; E.O. 13526, 75 FR 707; E.O. 12600, 52 FR 23781, 3 CFR, 1987 Comp., p. 235.

■ 2. Section 171.36 is amended by:

- a. Revising paragraph (a)(2); and
- b. Adding an entry, in alphabetical order, for "Risk Analysis and Management Records. STATE-78." to the lists in paragraphs (b)(1), (2), and (5).

The revision reads as follows:

**§ 171.36 Exemptions.**

\* \* \* \* \*

(a) \* \* \*

(2) The systems of records maintained by the Bureau of Diplomatic Security (STATE-36), the Office of the Inspector

General (STATE-53), the Information Access Program Records system (STATE-35), and the Bureau of Administration (STATE-78) are subject to general exemption under 5 U.S.C. 552a(j)(2). All records contained in record system STATE-36, Security Records, and all records contained the Risk Analysis and Management Records system (STATE-78), are exempt from all provisions of the Privacy Act except sections (b), (c)(1) and (2), (e)(4)(A) through (F), (e)(6), (7), (9), (10), and (11), and (i) to the extent to which they meet the criteria of section (j)(2). These exemptions are necessary to ensure the effectiveness of the investigative, judicial, and protective processes. All records contained in STATE-53, records of the Inspector General and Automated Individual Cross-Reference System, are exempt from all of the provisions of the Privacy Act except sections (b), (c)(1) and (2), (e)(4)(A) through (F), (e)(6), (7), (9), (10), and (11), and (i) to the extent to which they meet the criteria of section (j)(2). These exemptions are necessary to ensure the proper functions of the law enforcement activity, to protect confidential sources of information, to fulfill promises of confidentiality, to prevent interference with the enforcement of criminal laws, to avoid the disclosure of investigative techniques, to avoid the endangering of the life and safety of any individual, to avoid premature disclosure of the knowledge of potential criminal activity and the evidentiary bases of possible enforcement actions, and to maintain the integrity of the law enforcement process. All records contained in the Information Access Program Records system (STATE-35) are exempt from all of the provisions of the Privacy Act except sections (b), (c)(1) and (2), (e)(4)(A) through (F), (e)(6), (7), (9), (10), and (11), and (i) to the extent to which they meet the criteria of section (j)(2). These exemptions are necessary to ensure the protection of law enforcement information retrieved from various sources in response to information access requests.

\* \* \* \* \*

**Joyce A. Barr,**  
*Assistant Secretary for Administration, U.S. Department of State.*

[FR Doc. 2015-00375 Filed 1-13-15; 8:45 am]

**BILLING CODE 4710-24-P**

**DEPARTMENT OF EDUCATION**

**34 CFR Part 685**

[Docket ID ED-2014-OPE-0082]

RIN 1840-AD17

**William D. Ford Federal Direct Loan Program**

**AGENCY:** Office of Postsecondary Education, Department of Education.

**ACTION:** Announcement of early implementation date.

**SUMMARY:** The U.S. Department of Education (Department) is establishing the date for early implementation of the William D. Ford Federal Direct Loan (Direct Loan) Program regulations that update the standard for determining if a potential parent or student borrower has an adverse credit history for purposes of eligibility for a Direct PLUS Loan (PLUS loan). These regulations also require parents and students who have an adverse credit history, but who are approved for a PLUS loan on the basis that extenuating circumstances exist or by obtaining an endorser for the PLUS loan, to receive loan counseling before receiving the PLUS loan.

**DATES:** The early implementation date for § 685.200(b)(5) and (c), published in the **Federal Register** on October 23, 2014 (79 FR 63317), is March 29, 2015.

**FOR FURTHER INFORMATION CONTACT:** For information about the Direct PLUS Loan Program or how to apply for a Direct PLUS Loan, call the Federal Student Aid Information Center (FSAIC) at 1-800-4FEDAID (1-800-433-3243). For information regarding the establishment of this early implementation date, contact Sue O'Flaherty, U.S. Department of Education, Federal Student Aid, 830 First Street NE., Union Center Plaza, Room 64E1, Washington, DC 20202-5345. Telephone: (202) 377-3393 or by email at: [sue.oflaherty@ed.gov](mailto:sue.oflaherty@ed.gov).

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:**

**Background**

Section 482(c) of the Higher Education Act of 1965, as amended (HEA), requires that regulations affecting programs under title IV of the HEA be published in final form by November 1 prior to the start of the award year (July 1) to which they apply. However, that section of the HEA also permits the Secretary to designate any regulation as one that an entity subject to the regulations may choose to