

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Commodity Credit Corporation

#### 7 CFR Part 1485

#### Market Access Program

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

**ACTION:** Correcting amendments.

**SUMMARY:** The U.S. Department of Agriculture published a final rule in the **Federal Register** on May 17, 2012 (77 FR 29474). This document corrects the final regulations by revising these sections.

**DATES:** *Effective date:* July 17, 2012.

**FOR FURTHER INFORMATION CONTACT:** Mark Slupek, 202-720-1169, U.S. Department of Agriculture, Foreign Agricultural Service, Office of Trade Programs, Program Operations Division; or by phone: (202) 720-4327; or by fax: (202) 720-9361; or by email: [podadmin@fas.usda.gov](mailto:podadmin@fas.usda.gov).

**SUPPLEMENTARY INFORMATION:** As published, the final regulation contained an error which may prove to be misleading and need to be clarified.

#### List of Subjects in 7 CFR Part 1485

Agricultural commodities, Exports.

Accordingly, 7 CFR Part 1485 is corrected by making the following correcting amendment:

#### PART 1485—GRANT AGREEMENTS FOR THE DEVELOPMENT OF FOREIGN MARKETS FOR U.S. AGRICULTURAL COMMODITIES

■ 1. The authority citation for 7 CFR part 1485 continues to read as follows:

**Authority:** 7 U.S.C. 5623, 5662-5663 and sec. 203, 402-403, Pub. L. 95-501, as amended, 92 Stat 1685 and sec. 1302, Pub. L. 103-66, 107 Stat. 330.

■ 2. Revise the part heading for part 1485 to read as set forth above.

■ 3. Revise paragraph (b) of § 1485.19 to read as follows:

#### § 1485.19 Advances.

\* \* \* \* \*

(b) *Exception.* A MAP Participant for generic promotion activities may request an advance of MAP funds from CCC, provided the MAP Participant meets the criteria for advance payments set forth in the applicable parts of this title (e.g., 7 CFR Parts 3015, 3016, and 3019). CCC will not approve any request for an advance submitted later than 3 months after the end of a MAP Participant's program year. At any given time, total payments advanced shall not exceed 40 percent of a MAP Participant's approved generic activity budget for the program year. CCC will not advance funds to a MAP Participant for brand promotion activities. When approving a request for an advance, CCC may require the MAP Participant to carry adequate fidelity bond coverage when the absence of such coverage is considered to create an unacceptable risk to the interests of the MAP. Whether an "unacceptable risk" exists in a particular situation will depend on a number of factors, such as, for example, the Participant's history of performance in MAP; the Participant's perceived financial stability and resources; and any other factors presented in the particular situation that may reflect on the Participant's responsibility or the riskiness of its activities.

\* \* \* \* \*

Dated: June 7, 2012.

**Suzanne E. Heinen,**

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

[FR Doc. 2012-15195 Filed 7-16-12; 8:45 am]

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## EXPORT-IMPORT BANK OF THE UNITED STATES

### 12 CFR Part 404

[EXIM-OIG-2012-0010]

RIN 3048-AA02

### Privacy Act of 1974: Implementation of Exemptions; Export-Import Bank of the United States Office of Inspector General—EIB-35—Office of Inspector General Investigative Records

**AGENCY:** Office of the Inspector General, Export-Import Bank of the United States.

**ACTION:** Final rule.

**SUMMARY:** The Export-Import Bank of the United States (hereafter known as "Ex-Im Bank") is issuing a final rule to exempt portions of a system of records entitled "EIB-35—Office of Inspector General Investigative Records" from one or more provisions of the Privacy Act because of criminal, civil, and administrative enforcement requirements.

**DATES:** The final rule is effective August 16, 2012.

**FOR FURTHER INFORMATION CONTACT:** Osvaldo Gratacos, Ex-Im Bank, Office of Inspector General, 811 Vermont Avenue NW., Rm. 976, Washington, DC 20571 or by telephone (202) 565-3908 or facsimile (202) 565-3988.

#### SUPPLEMENTARY INFORMATION:

#### Background

The Ex-Im Bank published a notice of proposed rulemaking in the **Federal Register**, 77 FR 27140 (May 9, 2012), proposing to exempt portions of a system of records entitled "EIB-35—Office of Inspector General Investigative Records" and held by the Ex-Im Bank Office of Inspector General (OIG), from one or more provisions of the Privacy Act of 1974, 5 U.S.C. 552a. The exemptions are necessary in order for Ex-Im Bank to carry out its investigative responsibilities pursuant to the Inspector General Act of 1978, as amended. The Ex-Im Bank published the system of records notice in the **Federal Register**, 77 FR 26755 (May 7, 2012), and comments were invited on both the Notice of Proposed Rulemaking (NPRM) and the System of Records Notice (SORN).