

national security and intelligence activities; and protection of the President of the U.S. or other individuals pursuant to Section 3056 and 3056A of Title 18. The DHS/ALL—031 ISE SAR Initiative System of Records contains information that is collected by, on behalf of, in support of, or in cooperation with DHS, its components, as well as other federal, state, local, tribal, or foreign agencies or private sector organization and may contain personally identifiable information collected by other federal, state, local, tribal, foreign, or international government agencies. The Secretary of Homeland Security has exempted this system from the following provisions of the Privacy Act, subject to the limitations set forth in 5 U.S.C. 552a(c)(3) and (4); (d); (e)(1), (e)(2), (e)(3), (e)(4)(G), (e)(4)(H), (e)(4)(I), (e)(5), (e)(8), and (e)(12); (f); (g)(1); and (h) of the Privacy Act pursuant to 5 U.S.C. 552a(j)(2). Additionally, the Secretary of Homeland Security has exempted this system from the following provisions of the Privacy Act, subject to the limitation set forth in 5 U.S.C. 552a(c)(3); (d); (e)(1), (e)(4)(G), (e)(4)(H), (e)(4)(I); and (f) of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2) and (k)(3). Exemptions from these particular subsections are justified, on a case-by-case basis to be determined at the time a request is made, for the following reasons:

(a) From subsection (c)(3) and (c)(4) (Accounting for Disclosures) because release of the accounting of disclosures could alert the subject of an investigation of an actual or potential criminal, civil, or regulatory violation to the existence of that investigation and reveal investigative interest on the part of DHS as well as the recipient agency. Disclosure of the accounting would therefore present a serious impediment to law enforcement efforts and/or efforts to preserve national security. Disclosure of the accounting would also permit the individual who is the subject of a record to impede the investigation, to tamper with witnesses or evidence, and to avoid detection or apprehension, which would undermine the entire investigative process.

(b) From subsection (d) (Access to Records) because access to the records contained in this system of records could inform the subject of an investigation of an actual or potential criminal, civil, or regulatory violation to the existence of that investigation and reveal investigative interest on the part of DHS or another agency. Access to the records could permit the individual who is the subject of a record to impede the investigation, to tamper with witnesses or evidence, and to avoid detection or apprehension. Amendment of the records could interfere with ongoing investigations and law enforcement activities and would impose an unreasonable administrative burden by requiring investigations to be continually reinvestigated. In addition, permitting access and amendment to such information could disclose security-sensitive information that could be detrimental to homeland security.

(c) From subsection (e)(1) (Relevancy and Necessity of Information) because in the course of investigations into potential violations of federal law, the accuracy of information obtained or introduced

occasionally may be unclear, or the information may not be strictly relevant or necessary to a specific investigation. In the interests of effective law enforcement, it is appropriate to retain all information that may aid in establishing patterns of unlawful activity.

(d) From subsection (e)(2) (Collection of Information from Individuals) because requiring that information be collected from the subject of an investigation would alert the subject to the nature or existence of the investigation, thereby interfering with that investigation and related law enforcement activities.

(e) From subsection (e)(3) (Notice to Subjects) because providing such detailed information could impede law enforcement by compromising the existence of a confidential investigation or reveal the identity of witnesses or confidential informants.

(f) From subsections (e)(4)(G), (e)(4)(H), and (e)(4)(I) (Agency Requirements) and (f) (Agency Rules), because portions of this system are exempt from the individual access provisions of subsection (d) for the reasons noted above, and therefore DHS is not required to establish requirements, rules, or procedures with respect to such access. Providing notice to individuals with respect to existence of records pertaining to them in the system of records or otherwise setting up procedures pursuant to which individuals may access and view records pertaining to themselves in the system would undermine investigative efforts and reveal the identities of witnesses, and potential witnesses, and confidential informants.

(g) From subsection (e)(5) (Collection of Information) because with the collection of information for law enforcement purposes, it is impossible to determine in advance what information is accurate, relevant, timely, and complete. Compliance with subsection (e)(5) would preclude DHS agents from using their investigative training and exercise of good judgment to both conduct and report on investigations.

(h) From subsection (e)(8) (Notice on Individuals) because compliance would interfere with DHS's ability to obtain, serve, and issue subpoenas, warrants, and other law enforcement mechanisms that may be filed under seal and could result in disclosure of investigative techniques, procedures, and evidence.

(i) From subsection (e)(12) (Computer Matching) if the agency is a recipient agency or a source agency in a matching program with a non-Federal agency, with respect to any establishment or revision of a matching program, at least 30 days prior to conducting such program, publish in the **Federal Register** notice of such establishment or revision.

(j) From subsection (g)(1) (Civil Remedies) to the extent that the system is exempt from other specific subsections of the Privacy Act.

(k) From subsection (h) (Legal Guardians) the parent of any minor, or the legal guardian of any individual who has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, may act on behalf of the individual.

Dated: December 9, 2010.

**Mary Ellen Callahan**

*Chief Privacy Officer, Department of Homeland Security.*

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## DEPARTMENT OF AGRICULTURE

### Office of the Secretary

#### 7 CFR Part 2

**RIN 0503-AA43**

#### Revision of Delegation of Authority

**AGENCY:** Office of the Secretary, USDA.

**ACTION:** Final rule.

**SUMMARY:** This document amends the delegation of authority from the U.S. Department of Agriculture's Under Secretary for Marketing and Regulatory Programs (MRP) to the Deputy Under Secretary for MRP to establish the order in which a Deputy Under Secretary may perform the duties and exercise the powers of the Under Secretary during the absence or unavailability of the Under Secretary when there is more than one Deputy Under Secretary.

**DATES:** *Effective Date:* December 21, 2010.

**FOR FURTHER INFORMATION CONTACT:** Ms. Karen Grillo, Chief of Staff, Marketing and Regulatory Programs, USDA, 1400 Independence Avenue, SW., Washington, DC 20250; 202-7204-256.

**SUPPLEMENTARY INFORMATION:** Pursuant to 7 CFR 2.77, the Under Secretary for Marketing and Regulatory Programs (MRP) has delegated to the Deputy Under Secretary for MRP the following authority, to be exercised only during the absence or unavailability of the Under Secretary: Perform all the duties and exercise all the powers which are now or which may hereafter be delegated to the Under Secretary. This final rule amends 7 CFR 2.77 to establish the order in which a Deputy Under Secretary may exercise that delegation when the MRP mission area has more than one Deputy Under Secretary. The authority shall be exercised by the respective Deputy Under Secretary in the order in which he or she has taken office as the Deputy Under Secretary.

This rule relates to internal agency management. Therefore, this rule is exempt from the provisions of Executive Orders 12866 and 12988. Moreover, pursuant to 5 U.S.C. 553, notice of proposed rulemaking and opportunity for comment are not required for this rule, and it may be made effective less

than 30 days after publication in the **Federal Register**. In addition, under 5 U.S.C. 804, this rule is not subject to congressional review under the Small Business Regulatory Enforcement Fairness Act of 1996, Public Law 104–121. Finally, this action is not a rule as defined by 5 U.S.C. 601 *et seq.*, the Regulatory Flexibility Act, and thus is exempt from the provisions of that Act.

#### List of Subjects in 7 CFR Part 2

Authority delegations (Government agencies).

■ Accordingly, 7 CFR part 2 is amended as follows:

#### PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

■ 1. The authority for part 2 continues to read as follows:

**Authority:** 7 U.S.C. 6912(a)(1); 5 U.S.C. 301; Reorganization Plan No. 2 of 1953, 3 CFR 1949–1953 Comp., p. 1024.

#### Subpart N—Delegations of Authority by the Under Secretary for Marketing and Regulatory Programs

■ 2. Section 2.77 is revised to read as follows:

##### § 2.77 Deputy Under Secretary for Marketing and Regulatory Programs.

Pursuant to § 2.22(a), subject to reservations in § 2.22(b), and subject to policy guidance and direction by the Under Secretary, the following delegation of authority is made by the Under Secretary for Marketing and Regulatory Programs to the Deputy Under Secretary for Marketing and Regulatory Programs, to be exercised only during the absence or unavailability of the Under Secretary: Perform all the duties and exercise all the powers which are now or which may hereafter be delegated to the Under Secretary for Marketing and Regulatory Programs: Provided, that this authority shall be exercised by the respective Deputy Under Secretary in the order in which he or she has taken office as a Deputy Under Secretary.

Dated: December 2, 2010.

**Edward Avalos,**

*Under Secretary, Marketing and Regulatory Programs.*

[FR Doc. 2010–31942 Filed 12–20–10; 8:45 am]

**BILLING CODE 3410–90–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2010–1253; Directorate Identifier 2010–SW–084–AD; Amendment 39–16550; AD 2010–26–11]

RIN 2120–AA64

#### Airworthiness Directives; Kaman Aerospace Corporation (Kaman) Model K–1200 Helicopters

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for the Kaman Model K–1200 helicopters. This AD requires revising the Limitations section of the Instructions for Continued Airworthiness (ICA) by establishing a life limit of 8,000 hours time-in-service (TIS) for each main rotor blade (blade) set. Also, this AD requires removing each blade set from service if it has accumulated 8,000 or more hours time-in-service (TIS). This AD also requires replacing certain blade sets with airworthy blade sets at specified intervals based on the blade set serial number (S/N). This AD was prompted by an accident and the subsequent discovery of cracks in multiple blade spars. We are issuing this AD to prevent blade failure and subsequent loss of control of the helicopter.

**DATES:** This AD is effective on January 5, 2011.

We must receive comments on this AD by February 22, 2011.

**ADDRESSES:** You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax:* 202–493–2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this AD, contact Kaman Aerospace Corporation, K-max Product Support Center, Building 33, P.O. Box 2, 1332 Blue Hills Avenue, Bloomfield, CT 06002, telephone (860) 242–4461.

## Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt. You may review copies of the referenced service information at the FAA, Rotorcraft Directorate, 2601 Meacham Boulevard, Fort Worth, TX 76137.

**FOR FURTHER INFORMATION CONTACT:** Nicholas Faust, Aerospace Engineer, Boston Aircraft Certification Office, FAA, 12 New England Executive Park; telephone: (781) 238–7763; fax: (781) 238–7170; e-mail: [nicholas.faust@faa.gov](mailto:nicholas.faust@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Discussion

We are adopting a new AD for the Kaman Model K–1200 helicopters that requires revising the Airworthiness Limitations section of the ICA by establishing a life limit of 8,000 hours TIS for each blade set. Previously, these blades sets did not have an established retirement life but had specified overhaul intervals. This AD also requires removing each blade set with 8,000 or more hours TIS from service. Also, this AD requires replacing certain blade sets with airworthy blade sets at specified intervals based on the blade set S/N. This AD was prompted by an accident and the subsequent discovery of cracks in multiple blade spars. This condition, if not corrected, could result in a cracked spar, failure of a blade, and subsequent loss of control of the helicopter.

##### Relevant Service Information

We reviewed Kaman Service Bulletin No. 131, Rotor Blade Service Life Reduction, dated August 11, 2010 (SB). The SB specifies establishing “a service life of K–1200 rotor blade spar bondment (K911004) to 8,000 hours time since new (TSN)” and removing all blade sets with over 8,000 hours TIS.

##### FAA’s Determination

We are issuing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other helicopters of this same type design.