DEPARTMENT OF COMMERCE
Office of the Secretary
[Docket No. 110613329–1329–01]
RIN 0605–AA29
15 CFR Part 4
Disclosure of Government Information
AGENCY: Department of Commerce.
ACTION: Final rule.
SUMMARY: This rule amends the Department of Commerce’s (Department) Freedom of Information Act (FOIA) regulations by changing the officials authorized to deny requests for records under the Freedom of Information Act, and requests for correction or amendment under the Privacy Act (PA), for the Office of Inspector General.
DATES: Effective Date: July 7, 2011.
FOR FURTHER INFORMATION CONTACT: Wade Green, Jr., Counsel to the Inspector General, 202–482–5992.
SUPPLEMENTARY INFORMATION: The regulations at Appendix B to 15 CFR part 4 designate the officials authorized to deny requests for records under the FOIA, and requests for records and requests for correction or amendment under the PA. The Department of Commerce amends these regulations by changing the designated officials for the “Office of Inspector General from the Counsel to the Inspector General; Deputy Counsel to the Inspector General” to the “FOIA Officer; Senior Associate Counsel to the Inspector General.”
Classification
Executive Order 12866: It has been determined that this notice is not significant for purposes of E.O. 12866.
Executive Order 13132: It has been determined that this notice does not contain policies with Federalism implications as that term is defined in E.O. 13132.
Paperwork Reduction Act: This rule does not involve a collection of information and, therefore, does not implicate requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 5201 et seq.) (PRA).
Notwithstanding any other provisions of law, no person is required to respond to nor be subject to a penalty for failure to comply with a collection of information, subject to the requirements of the PRA, unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number.
Administrative Procedure Act: Pursuant to 5 U.S.C. 553(b)(A), prior notice and an opportunity for public comment are not required by the Administrative Procedure Act for rules concerning agency organization, procedure, or practice. This rule merely changes the name of the officials who are authorized to deny requests for records under the Freedom of Information Act, and requests for correction or amendment under the Privacy Act.
Pursuant to 5 U.S.C. 553(e), the Department finds good cause to waive the 30-day delay in effectiveness. This rule merely changes the name of the officials who are authorized to deny requests for records under the Freedom of Information Act, and requests for correction or amendment under the Privacy Act.
Regulatory Flexibility Act: Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) are inapplicable. Therefore, a regulatory flexibility analysis is not required and has not been prepared.
List of Subjects in 15 CFR Part 4
Freedom of information, Privacy.
For the reasons above, amend 15 CFR Part 4 as follows:
PART 4—DISCLOSURE OF GOVERNMENT INFORMATION
1. The authority citation for part 4 continues to read as follows:
Appendix B to Part 4—[Amended]
Dated: June 29, 2011.
Jonathan R. Cantor,
Chief Privacy Officer.
SECURITIES AND EXCHANGE COMMISSION
17 CFR Part 200
[Release No. 34–64778]
Delegation of Authority to the Director of Its Division of Enforcement
AGENCY: Securities and Exchange Commission.
ACTION: Final rule.
SUMMARY: The Commission is amending its rules to delegate authority to the Director of the Division of Enforcement to disclose information that could reasonably be expected to reveal the identity of a whistleblower (“whistleblower identifying information”) to those persons to whom disclosure may be made without loss of confidentiality under the whistleblower provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act (the “Dodd-Frank Act”).
DATES: Effective Date: July 7, 2011.
FOR FURTHER INFORMATION CONTACT: Kenneth H. Hall, Assistant Chief Counsel, 202 551–4936, Office of Chief Counsel, Division of Enforcement, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549–6553.
SUPPLEMENTARY INFORMATION: Section 922 of the Dodd-Frank Act, Public Law 111–203, 124 Stat. 1376, 1841 (2010), added Section 21F to the Securities Exchange Act of 1934, 15 U.S.C. 78u–6, which creates a new program authorizing the Commission to make monetary awards to whistleblowers who provide the Commission with “original information” that leads to the successful enforcement of a “covered judicial or administrative action” or a “related action,” as those terms are defined in Section 21F(a), 15 U.S.C. 78u–6(a). Awards may be paid in connection with original information concerning any violation of the federal securities laws, and may range from 10 to 30 percent of the amounts collected as monetary sanctions imposed in the covered judicial or administrative action brought by the Commission or in related actions brought by other entities identified in the statute.
To protect the identity of whistleblowers, Section 21F(h)(2)(A), 15 U.S.C. 78u–6(h)(2)(A) provides that,
whistleblower identifying information
authorities that may receive
and actions by those agencies and
administration of the whistleblower
investor protection by facilitating
(D). The delegation will increase
restrictions of Section 21F(h)(2)(A) and
to the entities described in Section
whistleblower identifying information
discloses such information ''shall maintain such information as
confidential in accordance with the
Commission discloses such information
''shall maintain such information as
confidential in accordance with the
whistleblower to the Commission,
information provided by a
whistleblower to the Commission,
whistleblower to the Commission,
whistleblower identifying information
whistleblower identifying information
authorities to which the Commission
discloses such information
authorities and foreign law enforcement
the Attorney General of the United States;
an appropriate regulatory authority; a
self-regulatory organization; a State
attorney general in connection with any
criminal investigation; any appropriate
State regulatory authority; the Public
Company Accounting Oversight Board;
a foreign securities authority; or a
foreign law enforcement authority.
Domestic entities to which the
Commission discloses such information
shall maintain such information as
confidential in accordance with the
requirements established under [Section
21F(h)(2)(A).] Section
78u–6(h)(2)(D)(ii). Foreign securities authorities and foreign law enforcement
authorities to which the Commission
discloses such information “shall maintain such information in
accordance with such assurances of confidentiality as the Commission
determines appropriate.” Section
78u–6(h)(2)(D)(ii).
The Commission is delegating
authority to the Director of the Division
of Enforcement to disclose
whistleblower identifying information
to the entities described in Section
21F(h)(2)(D), in accordance with the
restrictions of Section 21F(h)(2)(A) and
(D). The delegation will increase
investor protection by facilitating
administration of the whistleblower
award program and the investigations
and actions by those agencies and
authorities that may receive
whistleblower identifying information
pursuant to this delegation.

Administrative Law Matters
The Commission finds, in accordance
with the Administrative Procedure Act
(“APA”) [5 U.S.C. 553(b)(3)(A)], that
this amendment relates solely to agency
organization, procedure, or practice and
does not relate to a substantive rule.
Accordingly, the provisions of the APA
regarding notice of the proposed
rulemaking, opportunities for public
participation, and publication of the
amendment prior to its effective date, 5
U.S.C. 553, are not applicable. For the
same reason, and because this
amendment does not substantively
affect the rights or obligations of
non-agency parties, the provisions of the
Small Business Regulatory Enforcement
Fairness Act, 5 U.S.C. 804(3)(C), are
not applicable. Additionally, the provisions of the
Regulatory Flexibility Act, which
apply only when notice and comment
are required by the APA or other law,
5 U.S.C. 603, are not applicable.
Further, because the amendment
imposes no new burdens on parties in
investigations, the Commission does not
believe it will have any anti-competitive
effects for purposes of Section 23(a)(2)
of the Securities Exchange Act, 15
U.S.C. 78w(a)(2). Finally, this
amendment does not contain any
collection of information requirements
as defined by the Paperwork Reduction
Act of 1980, as amended. Accordingly,
the amendment is effective July 7, 2011.

List of Subjects in 17 CFR Part 200
Administrative practice and
procedure, Authority delegations (Government agencies).

Text of Amendment
For the reasons set out in the
prosimile, Title 17, Chapter II of the
Code of Federal Regulations is amended as follows:
PART 200—ORGANIZATION;
CONDUCT AND ETHICS; AND
INFORMATION AND REQUESTS
1. The authority citation for part 200,
subpart A, continues to read in part as follows:
   Authority: 15 U.S.C. 77o, 77s, 77ss, 78d,
   78d–1, 78d–2, 78w, 78l(d), 78nn, 80a–37,
   80b–11, and 7202, unless otherwise noted.
   * * * * *
2. Section 200.30–4 is amended by
adding paragraph (a)(16) to read as follows:
§ 200.30–4 Delegation of authority to
Director of Division of Enforcement.
   * * * * *
   (a) * * *
   (16) To disclose information, in
   accordance with Section 21F(h)(2) of the
   Securities Exchange Act of 1934 (15
   U.S.C. 78u–6(h)(2)), that would reveal,
or could reasonably be expected to
reveal, the identity of a whistleblower.
   * * * * *
   By the Commission.
   Dated: June 30, 2011.
Elizabeth M. Murphy,
Secretary.
[FR Doc. 2011–16864 Filed 7–6–11; 8:45 am]
BILLING CODE 8011–01–P

DEPARTMENT OF COMMERCE

International Trade Administration

19 CFR Part 351

[Docket No. 0612243022–1049–01]
RIN 0625–AA66

Interim Final Rule on Certification of
Factual Information To Import
Administration During Antidumping
and Countervailing Duty Proceedings:
Reopening of Rebuttal Comment
Period

AGENCY: Import Administration,
International Trade Administration,
Department of Commerce.

ACTION: Notice of reopening of rebuttal
comment period.

SUMMARY: The Department of Commerce
(“the Department”) is reopening the
public comment period for the
submission of rebuttal comments on the
Interim Final Rule on Certification of
Factual Information To Import
Administration During Antidumping
and Countervailing Duty Proceedings
due to recent technical difficulties with
filing comments on the Federal
eRulemaking Portal (“Portal”).

DATES: The submission period for public
rebuttal comments is reopened through
July 14, 2011.

ADDRESSES: All rebuttal comments must
be submitted through the Portal at
ITA–2010–0007, unless the commenter
does not have access to the Internet.
Commenters who do not have access to
the Internet may submit the original and
two copies of each set of comments by
mail or hand delivery/courier. All
rebuttal comments should refer to RIN
0625–AA66 and should be addressed to
Ronald K. Lorentzen, Deputy Assistant
Secretary for Import Administration,
Room 1870, Department of Commerce,
14th Street and Constitution Ave., NW.,
Washington, DC 20230.

The Department will consider all
rebuttal comments received before the
close of the reopened comment period.