

could disclose the identity of confidential sources and the nature of the information supplied by informants as well as endanger the physical safety of those sources by exposing them to possible reprisals for having provided the information. Confidential sources and informers might refuse to provide valuable information unless they believe that their identities would not be revealed through disclosure of their names or the nature of the information they supplied. Loss of access to such sources would seriously impair the investigator's ability to perform its law enforcement responsibilities. Furthermore, providing access to records contained in the system of records could reveal the identities of undercover law enforcement officers who compiled information regarding the individual's criminal activities, thereby endangering the physical safety of those undercover officers by exposing them to possible reprisals. Permitting access in keeping these provisions would also discourage other law enforcement and regulatory agencies, foreign or domestic, from freely sharing information and thus would restrict access to information necessary to accomplish its mission most effectively.

3. 5 U.S.C. 552a(d)(2), (3), and (4), (e)(4)(H), and (f)(4) permit an individual to request amendment of a record pertaining to the individual or concern related to procedures, and require the agency either to amend the record or to note the disputed portion of the record, and to provide a copy of the individual's statement of disagreement with the agency's refusal to amend a record to persons or other agencies to whom the record is thereafter disclosed. Since these provisions depend upon the individual having access to his or her records, and since an exemption from the provisions of 5 U.S.C. 552a relating to access to records is proposed for the reasons set out in the preceding paragraph of this section, these provisions should not apply to the above-listed system or records.

4. 5 U.S.C. 552a(e)(1) requires an agency to maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose of the agency required to be accomplished by statute or Executive Order. The term "maintain," as defined in 5 U.S.C. 552a(a)(3), includes "collect" and "disseminate." The application of this provision could impair the investigator's ability to collect and disseminate valuable law enforcement information. In the early stages of an investigation, it may be impossible to determine whether information collected is relevant and

necessary, and information that initially appears irrelevant and information developed subsequently, prove particularly relevant and necessary to the investigation. Compliance with the above records maintenance requirements would require the periodic up-dating of information Treasury collects and maintains to ensure that the records in this system remain timely, accurate, and complete. Further, the investigator may uncover evidence of violations of law that fall within the investigative jurisdiction of other law enforcement agencies. To promote effective law enforcement, the investigator will refer this evidence to the appropriate authority for further investigation.

5. 5 U.S.C. 552a(e)(4)(G) and (f)(1) enable individuals to inquire whether a system of records contains records pertaining to them. Application of these provisions to the above-referenced systems of records could allow individuals to learn whether they have been identified as subjects of investigation. Access to such knowledge would impair the investigator's ability to carry out the mission, since individuals could take steps to avoid detection and destroy or hide evidence needed to prove the violation.

6. 5 U.S.C. 552a(e)(4)(I) requires an agency to publish a general notice listing the categories of sources for information contained in a system of records. Revealing sources for information could disclose investigative techniques and procedures; result in threats or reprisals against confidential informants by the subjects of investigations; and cause confidential informants to refuse to give full information to investigators for fear of having their identities as sources disclosed.

As required by Executive Order 12866, it has been determined that this rule is not a significant regulatory action, and therefore, does not require a regulatory impact analysis.

Pursuant to the requirements of the Regulatory Flexibility Act (RFA), 5 U.S.C. 601-612, it is hereby certified that this rule will not have significant economic impact on a substantial number of small entities. The term "small entity" is defined to have the same meaning as the terms "small business", "small organization" and "small governmental jurisdiction" as defined in the RFA.

The proposed regulation, issued under section 552a(k) of the Privacy Act, is to exempt certain information maintained by Treasury in the above system of records from notification, access and amendment of a record by

individuals who are citizens of the United States or an alien lawfully admitted for permanent residence. Inasmuch as the Privacy Act rights are personal and apply only to U.S. citizens or an alien lawfully admitted for permanent residence, small entities, as defined in the RFA, are not provided rights under the Privacy Act and are outside the scope of this regulation.

**List of Subjects in 31 CFR Part 1**

Privacy.

Part 1, subpart C, of title 31 of the Code of Federal Regulations is proposed to be amended as follows:

**PART 1—[AMENDED]**

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

**Authority:** 5 U.S.C. 301 and 31 U.S.C. 321. Subpart A also issued under 5 U.S.C. 552 as amended. Subpart C also issued under 5 U.S.C. 552a.

2. In § 1.36, redesignate paragraphs (g)(1)(i) through (xiii) as (g)(1)(ii) through (xiv), respectively, and add new paragraph (g)(1)(i) to read as follows:

**§ 1.36 Systems exempt in whole or in part from provisions of 5 U.S.C. 522a and this part.**

\* \* \* \* \*  
 (g) \* \* \*  
 (1) \* \* \*  
 (i) Treasury:

Number	System name
Treasury .013	Department of the Treasury Civil Rights Complaints and Compliance Review Files,

\* \* \* \* \*

Dated: August 17, 2011.

**Veronica Marco,**  
*Acting Deputy Assistant Secretary for Privacy, Transparency, and Records.*

[FR Doc. 2011-22979 Filed 9-8-11; 8:45 am]

**BILLING CODE 4810-25-P**

**DEPARTMENT OF THE INTERIOR**

**National Park Service**

**36 CFR Part 7**

**RIN 1024-AD85**

**Cape Hatteras National Seashore Proposed Rule: Off-Road Vehicle Management—Reopening of Public Comment Period**

**AGENCY:** National Park Service, Interior.

**ACTION:** Reopening of public comment period.

**SUMMARY:** We, the National Park Service, are reopening the public comment period for the proposed rule to manage off-road vehicle use at Cape Hatteras National Seashore in North Carolina. The additional comment period allows more time for those who may have been affected by Hurricane Irene to submit comments.

**DATES:** Comments must be received before midnight (Eastern Daylight Time) on September 19, 2011.

**ADDRESSES:** You may submit comments, identified by the Regulation Identifier Number 1024-AD85, by either of the following methods:

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

- *Mail or hand deliver to:* Superintendent, Cape Hatteras National Seashore, 1401 National Park Drive, Manteo, North Carolina 27954.

**FOR FURTHER INFORMATION CONTACT:**

Mike Murray, Superintendent, Cape Hatteras National Seashore, 1401 National Park Drive, Manteo, North Carolina 27954. *Phone:* (252) 473-2111 (ext 148).

**SUPPLEMENTARY INFORMATION:** On July 6, 2011, we published in the **Federal Register** a proposed rule to manage off-road vehicle use at Cape Hatteras National Seashore, North Carolina. (76 FR 39350) The 60-day public comment period for this proposal closed on September 6, 2011. Hurricane Irene made landfall in the area of the Seashore on Saturday August 27, 2001, resulting in wide-spread damage there, and north along the east coast into New England. Because hurricane damage may have prevented some affected persons from commenting on the rule, we are reopening the public comment period from September 9, 2011 through September 19, 2011. We do not anticipate extending the public comment period beyond this date due to a court-imposed deadline for completing the final rule. If you already commented on the rule you do not have to resubmit your comments. Also, if you submitted comments on this rule between September 6, 2011 and September 9, 2011 you do not need to resubmit them, we will consider any comments received during this period.

Comments submitted through Federal eRulemaking Portal: <http://www.regulations.gov> or submitted by mail must be entered or postmarked before midnight (Eastern Daylight Time) September 19, 2011. Comments submitted by hand delivery must be received by the close of business hours (5 p.m. Eastern Daylight Time) on September 19, 2011. Comments will not

be accepted by fax, e-mail, or in any way other than those specified above, and bulk comments in any format (hard copy or electronic) submitted on behalf of others will not be accepted.

All submissions must include the words "National Park Service" or "NPS" and must include the identifying number 1024-AD85. Comments received through the Federal eRulemaking portal at <http://www.regulations.gov> will be available on the [regulations.gov](http://www.regulations.gov) Web site, usually without change. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information, we cannot guarantee that we will be able to do so. To view comments received through the Federal eRulemaking portal, go to <http://www.regulations.gov> and enter 1024-AD85 in the Keyword or ID search box.

Dated: September 6, 2011.

**Eileen Sobeck,**

*Acting Assistant Secretary for Fish and Wildlife and Parks.*

[FR Doc. 2011-23127 Filed 9-8-11; 8:45 am]

**BILLING CODE 4310-X6-P**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### 37 CFR Parts 2 and 7

[Docket No. PTO-T-2010-0073]

RIN 0651-AC49

#### **Extension of Comment Period for Notice of Proposed Rulemaking on Changes in Requirements for Specimens and for Affidavits or Declarations of Continued Use or Excusable Nonuse in Trademark Cases**

**AGENCY:** United States Patent and Trademark Office, Commerce.

**ACTION:** Notice of extension of public comment period.

**SUMMARY:** The United States Patent and Trademark Office ("USPTO") is extending until September 23, 2011, the period for public comment on the proposal to revise the Trademark Rules of Practice and the Rules of Practice for Filings Pursuant to the Madrid Protocol to permit the USPTO to require: any information, exhibits, and affidavits or declarations deemed reasonably necessary to examine an affidavit or

declaration of continued use or excusable nonuse in trademark cases, or for the USPTO to assess the accuracy and integrity of the register; and upon request, more than one specimen in connection with a use-based trademark application, an allegation of use, an amendment to a registered mark, or an affidavit or declaration of continued use in trademark cases.

**DATES:** Comments must be received by September 23, 2011, to ensure full consideration.

**ADDRESSES:** The USPTO prefers that comments be submitted via electronic mail message to [TMFRNotices@uspto.gov](mailto:TMFRNotices@uspto.gov). Written comments may also be submitted by mail to Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, attention Cynthia C. Lynch; by hand-delivery to the Trademark Assistance Center, Concourse Level, James Madison Building-East Wing, 600 Dulany Street, Alexandria, Virginia, attention Cynthia C. Lynch; or by electronic mail message via the Federal eRulemaking Portal. See the Federal eRulemaking Portal Web site (<http://www.regulations.gov>) for additional instructions on providing comments via the Federal eRulemaking Portal. The comments will be available for public inspection on the USPTO's Web site at <http://www.uspto.gov>, and will also be available at the Office of the Commissioner for Trademarks, Madison East, Tenth Floor, 600 Dulany Street, Alexandria, Virginia. Because comments will be available for public inspection, information that is not desired to be made public, such as an address or phone number, should not be included in the comments.

**SUPPLEMENTARY INFORMATION:** On July 12, 2011, the USPTO published a notice of proposed rulemaking to revise the Trademark Rules of Practice (37 CFR part 2) and the Rules of Practice for Filings Pursuant to the Madrid Protocol ("Madrid Rules") (37 CFR part 7) to provide for the USPTO to require: (1) Any information, exhibits, and affidavits or declarations deemed reasonably necessary to examine a post registration affidavit or declaration of continued use in trademark cases, or for the USPTO to assess the accuracy and integrity of the register; and (2) upon request, more than one specimen in connection with a use-based trademark application, an allegation of use, an amendment to a registered mark, or an affidavit or declaration of continued use in trademark cases (76 FR 40839 (July 12, 2011)). The notice invited the public to submit written comments on the proposed rules on or before September