

plans to open a new facility in Monterrey in 2014. The Department also recently opened application service centers in Mexicali, Piedras Negras, and Reynosa to accommodate additional applicants along the U.S.-Mexico border.

Of the three remaining comments, one noted its support for the reduced K visa fee and one applauded the Department for decreasing consular fees on certain nonimmigrant, immigrant, and special visa services, while also expressing concern for the increases to the other visa categories. One comment expressed a desire for a discount on all minor NIVs, not just minor BCCs. We note that the Department is required by law to set the fee for the minor BCC below cost at \$15. The same requirement does not apply to other minor NIVs, which the Department sets on the basis of cost as described more fully above.

### Conclusion

The Department has adjusted the fees to ensure that sufficient resources are available to meet the costs of providing consular services in light of the CoSM's findings. Pursuant to OMB guidance and federal law, the Department endeavors to recover the cost of providing services that benefit specific individuals rather than the public at large. See OMB Circular A-25, sections 6(a)(1), (a)(2)(a); 31 U.S.C. 9701(b). For this reason, the Department has adjusted the Schedule.

### Regulatory Findings

For a summary of the regulatory findings and analyses regarding this rulemaking, please refer to the findings and analyses published with the interim final rule, which can be found at 77 FR 18907, which are adopted herein. The rule became effective April 13, 2012. As noted above, the Department has considered the comments submitted in response to the interim final rule, and does not adopt them. Thus, the rule remains in effect without modification.

In addition, as noted in the interim final rule, this rule was submitted to and reviewed by OMB pursuant to E.O. 12866. The Department of State has also considered this rule in light of Executive Order 13563, dated January 18, 2011, and affirms that this regulation is consistent with the guidance therein.

Accordingly, the Interim Final Rule amending 22 CFR parts 22 and 42 which was published at 77 FR 18907 on March 29, 2012, is adopted as final without change.

Dated: September 4, 2012.

**Patrick F. Kennedy**,  
*Under Secretary of State for Management,*  
*U.S. Department of State.*

[FR Doc. 2012-22862 Filed 9-14-12; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[TD 9598]

RIN 1545-BK98

#### Integrated Hedging Transactions of Qualifying Debt

##### *Correction*

In rule document 2012-21986 appearing on pages 54808-54811 in the issue of Thursday, September 6, 2012 make the following correction:

On page 54811, in the first column, on the eleventh line from the bottom of the page, “(i) *Expiration date*. This section expires on September 4, 2012”, should read “(i) *Expiration date*. This section expires on September 4, 2015.”

[FR Doc. C1-2012-21986 Filed 9-14-12; 8:45 am]

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Docket ID DoD-2012-OS-0102]

#### 32 CFR Part 319

#### Privacy Act; Implementation

**AGENCY:** Defense Intelligence Agency, DoD.

**ACTION:** Direct final rule with request for comments.

**SUMMARY:** The Defense Intelligence Agency is updating the Defense Intelligence Agency Privacy Act Program, by adding the (k)(2) exemption to accurately describe the basis for exempting the records in the system of records notice LDIA 10-0002, Foreign Intelligence and Counterintelligence Operation Records. This direct final rule makes non-substantive changes to the Defense Intelligence Agency Privacy Program rules. These changes will allow the Department to exempt records from certain portions of the Privacy Act. This will improve the efficiency and effectiveness of DoD's program by ensuring the integrity of ongoing Foreign Intelligence and Counterintelligence Operations Records

related to the protection of national security, DoD personnel, facilities and equipment of the Defense Intelligence Agency and the Department of Defense.

This rule is being published as a direct final rule as the Department of Defense does not expect to receive any adverse comments, and so a proposed rule is unnecessary.

**DATES:** The rule will be effective on November 26, 2012 unless comments are received that would result in a contrary determination. Comments will be accepted on or before November 16, 2012. If adverse comment is received, DoD will publish a timely withdrawal of the rule in the **Federal Register**.

**ADDRESSES:** You may submit comments, identified by docket number and title, by any of the following methods:

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

\* *Mail:* Federal Docket Management System Office, 4800 Mark Center Drive, East Tower, Suite 02G09, Alexandria, VA 22350-3100.

*Instructions:* All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** Ms. Theresa Lowery at (202) 231-1193.

#### **SUPPLEMENTARY INFORMATION:**

#### **Direct Final Rule and Significant Adverse Comments**

DoD has determined this rulemaking meets the criteria for a direct final rule because it involves non-substantive changes dealing with DoD's management of its Privacy Programs. DoD expects no opposition to the changes and no significant adverse comments. However, if DoD receives a significant adverse comment, the Department will withdraw this direct final rule by publishing a notice in the **Federal Register**. A significant adverse comment is one that explains: (1) Why the direct final rule is inappropriate, including challenges to the rule's underlying premise or approach; or (2) why the direct final rule will be ineffective or unacceptable without a change. In determining whether a comment necessitates withdrawal of this direct final rule, DoD will consider whether it warrants a substantive