

**FOR FURTHER INFORMATION CONTACT:**

Monique Fortenberry, Deputy General Counsel, Office of General Counsel, Small Business Administration, 409 3rd Street SW., Suite 7200, Washington, DC 20416, telephone number 202-619-1848. (This is not a toll-free number.) Individuals with speech or hearing impairments may access this number through TTY by calling 1-704-344-6640.

**SUPPLEMENTARY INFORMATION:** Certain management, program and planning functions previously performed by the Deputy Administrator, the Associate Administrator for Management and Administration, and by the Chief Information Officer will now be performed, managed, or coordinated by the COO. These functions include providing overall organizational management to improve Agency performance and achieve the mission and goals of the Agency through the use of strategic and performance planning, measurement, analysis, assessment of progress, and use of performance information to improve results achieved; security and emergency planning; grants management and oversight; long-range budgeting and accounting; hiring and training employees; modernizing information technology systems; information security; protecting privacy; internal procurement and contracting; strategic planning; and disaster preparedness policy.

#### **Section A. Delegation of Authority No. 24 to the Chief Operating Officer**

The Administrator of the Small Business Administration has delegated to the COO authority to:

1. Provide overall organizational guidance and oversight to improve Agency performance, and to achieve the mission and goals of the Agency through the use of strategic and performance planning, measurement, analysis, regular assessment of progress and the use of performance information to improve results;

2. Manage and supervise, either directly or through subordinate managers, the Office of Management and Administration (OM&A). OM&A is responsible for managing administrative services; facilities management; executive secretariat and correspondence management; grants management; equal employment opportunity and civil rights compliance; and human capital management, including performance management, executive resources, human capital policy, planning and training, recruitment and staffing, employee and

labor relations, pay, benefits and retirement. With regard to the Office of Equal Employment Opportunity and Civil Rights Compliance, however, the COO's responsibilities are limited to guidance and oversight of the office's budget, staffing, external reporting requirements, setting and meeting performance goals, and other organizational matters;

3. Manage and supervise, either directly or through subordinate managers, the Office of the Chief Information Officer (OCIO). OCIO is responsible for modernizing information technology systems; providing network support, application development, IT security, IT project management, enterprise architecture services; and participating in cross-Government initiatives. However, for the purpose of performing the duties and responsibilities mandated by Section 5125(b) & (c) of the Clinger-Cohen Act of 1996, 44 U.S.C. 3506, the CIO will continue to report directly to the Administrator; and

4. Coordinate and collaborate with other relevant officers within the Agency who have a significant role in contributing to and achieving the mission and goals of the Agency, in particular the Chief Financial Officer and Associate Administrator for Performance Management, and the Director of the Office of Disaster Planning.

#### **Section B. Authority to Re-Delegate**

The COO may not re-delegate any of the authority outlined under Section A, above. However, in the event that the COO is absent from the office, as defined in SBA Standard Operating Procedure 00 01 2, or is unable to perform the functions and duties of the position, an individual serving in an acting capacity, by designation from the Administrator or pursuant to a written and established line of succession, shall have the authority delegated to the COO as outlined under Section A, above.

#### **Section C. Authority Superseded**

All previous delegations of authority from the Administrator of SBA to the COO or any other officer of the Agency are superseded to the extent that such previous delegations are inconsistent with the delegation of authority outlined in Section A, above.

#### **Section D. Authority Excepted**

The authority delegated to the COO under Section A, above, does not include the authority to sue or be sued, or to issue or waive regulations.

**Authority:** 15 U.S.C. 634 and 31 U.S.C. 1123.

Dated: March 15, 2012.

**Karen G. Mills,**  
Administrator.

[FR Doc. 2012-8016 Filed 4-3-12; 8:45 am]

**BILLING CODE 8025-01-P**

### **SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #13058 and #13059]**

#### **West Virginia Disaster #WV-00025**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a Notice of the Presidential declaration of a major disaster for Public Assistance Only for the State of West Virginia (FEMA-4061-DR), dated 03/22/2012.

*Incident:* Severe Storms, Flooding, Mudslides, and Landslides.

*Incident Period:* 03/15/2012 and continuing.

*Effective Date:* 03/22/2012.

*Physical Loan Application Deadline Date:* 05/21/2012.

*Economic Injury (EIDL) Loan Application Deadline Date:* 12/24/2012.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the President's major disaster declaration on 03/22/2012, Private Non-Profit organizations that provide essential services of governmental nature may file disaster loan applications at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties:

Lincoln, Logan, Mingo.

The Interest Rates are:

	Percent
For Physical Damage:	
Non-Profit Organizations with Credit Available Elsewhere .....	3.125
Non-Profit Organizations without Credit Available Elsewhere .....	3.000
For Economic Injury:	
Non-Profit Organizations without Credit Available Elsewhere .....	3.000

The number assigned to this disaster for physical damage is 13058B and for economic injury is 13059B.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**James E. Rivera,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 2012-8014 Filed 4-3-12; 8:45 am]

**BILLING CODE 8025-01-P**

## SMALL BUSINESS ADMINISTRATION

### Interest Rates

The Small Business Administration publishes an interest rate called the optional “peg” rate (13 CFR 120.214) on a quarterly basis. This rate is a weighted average cost of money to the government for maturities similar to the average SBA direct loan. This rate may be used as a base rate for guaranteed fluctuating interest rate SBA loans. This rate will be 2.250 (2 ¼) percent for the April–June quarter of FY 2012.

Pursuant to 13 CFR 120.921(b), the maximum legal interest rate for any third party lender’s commercial loan which funds any portion of the cost of a 504 project (see 13 CFR 120.801) shall be 6% over the New York Prime rate or, if that exceeds the maximum interest rate permitted by the constitution or laws of a given State, the maximum interest rate will be the rate permitted by the constitution or laws of the given State.

**Grady B. Hedgespeth,**

*Director, Office of Financial Assistance.*

[FR Doc. 2012-8012 Filed 4-3-12; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF STATE

[Public Notice 7837]

### Culturally Significant Objects Imported for Exhibition Determinations: “Nicolai Fechin”

**SUMMARY:** Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257 of April 15, 2003), I hereby determine that the objects to be included in the exhibition “Nicolai Fechin,” imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan

agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the Museum of Russian Art, Minneapolis, Minnesota, from on or about August 18, 2012, until on or about January 13, 2013, the Frye Art Museum, Seattle, Washington, from on or about February 2, 2013, until on or about April 7, 2013, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the exhibit objects, contact Paul W. Manning, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6469). The mailing address is U.S. Department of State, SA-5, L/PD, Fifth Floor (Suite 5H03), Washington, DC 20522-0505.

Dated: March 28, 2012.

**J. Adam Ereli,**

*Principal Deputy Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.*

[FR Doc. 2012-8096 Filed 4-3-12; 8:45 am]

**BILLING CODE 4710-05-P**

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/DS431]

### WTO Dispute Settlement Proceeding Regarding China—Measures Related to the Exportation of Rare Earths, Tungsten and Molybdenum

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice; request for comments.

**SUMMARY:** The Office of the United States Trade Representative (“USTR”) is providing notice that on March 13, 2012, in accordance with the *Marrakesh Agreement Establishing the World Trade Organization* (“WTO Agreement”), the United States requested consultations regarding restraints on the export from China of various forms of rare earths, tungsten and molybdenum (the “materials”). That request may be found at [www.wto.org](http://www.wto.org) contained in a document designated as WT/DS431/1. USTR invites written comments from the public concerning the issues raised in this dispute.

**DATES:** Although USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted on or before April 30, 2012 to be assured of timely consideration by USTR.

**ADDRESSES:** Public comments should be submitted electronically to [www.regulations.gov](http://www.regulations.gov), docket number USTR 2012-0005. If you are unable to provide submissions by [www.regulations.gov](http://www.regulations.gov), please contact Sandy McKinzy at (202) 395-9483 to arrange for an alternative method of transmission.

If (as explained below) the comment contains confidential information, then the comment should be submitted by fax only to Sandy McKinzy at (202) 395-3640.

### FOR FURTHER INFORMATION CONTACT:

Jared Wessel, Assistant General Counsel, or Ben Kostrzewa, Assistant General Counsel, Office of the United States Trade Representative, 600 17th Street NW., Washington, DC 20508, (202) 395-3150.

**SUPPLEMENTARY INFORMATION:** USTR is providing notice that consultations have been requested pursuant to the WTO *Understanding on Rules and Procedures Governing the Settlement of Disputes* (“DSU”). If such consultations should fail to resolve the matter and a dispute settlement panel is established pursuant to the DSU, such panel, which would hold its meetings in Geneva, Switzerland, would be expected to issue a report on its findings and recommendations within six to nine months after it is established.

### Major Issues Raised by the United States

On March 13, 2012, the United States requested consultations regarding China’s restraints on the export from China of various forms of rare earths (“rare earths” include, but are not limited to, items falling under the following eight-digit HS numbers identified in the Announcement No. 27 Issuing the 2012 Tariff Implementation Program (State Council Customs Tariff Commission, shuiweihui, No. 27, issued December 9, 2011, effective January 1, 2012) (hereinafter, the “2012 Tariff Implementation Program”): 25309020, 26122000, 28053011, 28053012, 28053013, 28053014, 28053015, 28053016, 28053017, 28053019, 28053021, 28053029, 28461010, 28461020, 28461030, 28461090, 28469011, 28469012, 28469013, 28469014, 28469015, 28469016, 28469017, 28469019, 28469021, 28469022, 28469023, 28469024, 28469025, 28469026, 28469028, 28469029, 28469031, 28469032, 28469033, 28469034, 28469035, 28469036, 28469039, 28469041, 28469042, 28469043, 28469044, 28469045, 28469046, 28469048, 28469049, 28469091, 28469092,