

400 Albuquerque, New Mexico; the Region VI Office of the Environmental Protection Agency, 1445 Ross Avenue, Dallas, Texas; and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library.

In requesting a copy, please enclose a check in the amount of \$21.25 (25 cents per page reproduction cost) payable to the "Consent Decree Library."

Joel M. Gross,

Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 95-9106 Filed 4-12-95; 8:45 am]

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Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that a proposed partial consent decree in *United States v. Pierce*, Civil Action No. 83-CV-1623, was lodged on March 29, 1995 with the United States District Court for the Northern District of New York.

The complaint in the *Pierce* action was filed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, to recover costs incurred by the United States in taking response actions in connection with the first operable unit cleanup at the York Oil Superfund Site located in Moira, Franklin County, New York ("Site").

The proposed Consent Decree embodies an agreement by defendant Aluminum Company of America ("Alcoa") to design and implement a remedy selected for the first operable unit at the Site involving the cleanup of contaminated soils and groundwater. Alcoa has also agreed to perform the subsequent operation and maintenance for this remedial work, and to reimburse EPA for 40% of the first \$400,000 of EPA's oversight and periodic review costs. Alcoa has also agreed to pay \$1,907,259 towards EPA's past costs at the Site.

The proposed Consent Decree includes an agreement by certain federal agencies (the Department of the Army, the Department of the Air Force, the Department of Transportation, and the U.S. Postal Service) to pay for 35% of the cost of the remedy and of the cost of operation and maintenance, and to reimburse EPA for 35% of the first \$400,000 of EPA's oversight and periodic review costs. The federal

agencies have also agreed to pay \$1,668,852 toward EPA's past costs at the Site.

The proposed Consent Decree includes an agreement by sixteen additional potentially responsible parties at the Site to pay for approximately 9% of the cost of the remedy and of the operation and maintenance, and to pay \$428,881.31 toward EPA's past costs at the Site. The proposed Consent Decree also includes an agreement by the EPA Hazardous Substance Superfund to pay for 16.11% of the cost of the remedy.

The proposed Consent Decree includes a covenant not to sue by the United States under Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, and under Section 7003 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6973.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Pierce*, DOJ Ref. #90-5-2-1-585. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA, 42 U.S.C. 6973(d).

The proposed Consent Decree may be examined at the Region 2 Office of the Environmental Protection Agency, 290 Broadway, New York, NY 10278, at the U.S. Attorney's Office, 100 South Clinton Street, Syracuse, NY, and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$61.25 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,
Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 95-9107 Filed 4-12-95; 8:45 am]

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[AAG/A Order No. 98-95]

Privacy Act of 1974; New System of Records

Pursuant to the Privacy Act of 1974 (5 U.S.C. 552a), notice is given that the

United States Marshals Service, Department of Justice (DOJ), proposes to establish a new system of records entitled "Joint Automated Booking Stations, Justice/USM-014."

Title 5 U.S.C. 552a(e) (4) and (11) provide that the public be provided a 30-day period in which to comment on the new routine uses of a system of records. The Office of Management and Budget (OMB), which has oversight responsibility under the Act, requires that it be given a 40-day period in which to review the new system.

Therefore, please submit any comments by May 15, 1995. The public, OMB, and the Congress are invited to send written comments to Patricia E. Neely, Systems Policy Staff, Justice Management Division, Department of Justice, Washington, DC 20503 (Room 850, WCTR Building).

A description of the system of records is provided below. In accordance with 5 U.S.C. 552a(r), DOJ has provided a report on the proposed new system to OMB and the Congress.

Dated: March 30, 1995.

Stephen R. Colgate,
Assistant Attorney General for Administration.

USM-014

SYSTEM NAME:

Joint Automated Booking Stations (JABS), USM-014

SYSTEM LOCATION:

U.S. Marshals Service (USMS) headquarters, 600 Army Navy Drive, Arlington, Va. 22202-4210; and regional office of the Drug Enforcement Administration (DEA) at 6320 NW 2nd Avenue, North Miami Beach, FL 33167.¹

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Alleged criminal offenders who have been arrested and booked.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records may include certain generic or "common" data elements which have been collected by an arresting Federal, State, or local agency and booked by that agency at its automated booking station (ABS), or booked by an agency on behalf of another agency which performed the arrest.² Such common

¹ The Miami repository will be physically housed at DEA facilities; nevertheless, management and oversight—including the physical security of the system—will be the responsibility of USMS personnel. When appropriate, the "system location" will be revised to include additional repositories.

² Initially, these records will include only those of the Department of Justice (DOJ) law enforcement components. However, at such time as other

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data (approximately 60 data elements) have been identified by law enforcement as those case and biographical data generally collected by the law enforcement community during booking arrests, e.g., name, date and place of birth, citizenship, hair and eye color, height and weight, occupation, social security number, place, date and time of arrest and jail location, charge, armed description, sentenced or unsentenced, and health status, etc. Such data may also include case agent name, notes and observations regarding subjects' physical or mental condition, degree of psychological stability or acumen, reported use of habit forming substances, substances for which the subject has a valid prescription, names of individuals from which the subject is to be segregated, extraordinary handling procedures to include precautionary warnings, names of acquaintances (criminal/non-criminal), Federal writ, and any other pertinent information related to known activities relevant or unique to the record subject. Finally, as the technology is developed, such data may include electronic fingerprints, mugshots, and voice samples.

Categories of records may include paper records where the USMS has a need to print copies, e.g., copies of mugshots.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

28 U.S.C. 534, 564; 5 U.S.C. 301 and 44 U.S.C. 3101.

PURPOSE:

The primary purpose of the JABS system is to enable Federal, State, and local agencies which conduct arrests and/or booking activities to store such data in regional repositories to eliminate duplication efforts among multiple law enforcement agencies participating in a single booking/arrest, to follow the arrestee through the booking process, and thereby share "realtime" booking and arrest data within a region. It will also assist in ancillary law enforcement efforts by permitting law enforcement to learn of the arrest and apprehension of a fugitive by another agency in that region; verify the identity of an arrestee or, as the technology is developed, obtain identifying data that will assist with surveillance and wiretap activities in the event the arrestee becomes a fugitive subsequent to booking. Finally, it may assist other judicial/law

Federal, State and local agencies either establish similar ABS's or use the ABS of another agency to upload "common" data to the repositories (i.e., "common" data as described by this system of records), this system of records will also include records provided by non-DOJ law enforcement agencies.

enforcement agencies in obtaining such information as will permit them to perform their official duties.

JABS will also assist law enforcement at the national level through interface of its regional repositories with the Federal Bureau of Investigation's (FBI) Identification Division Records System, Justice/FBI-009 (IDENT). IDENT currently serves as a "national" repository for fingerprint data. As the technology is developed, electronic fingerprint, mugshot, and voice sample data, together with certain personally identifying data, date of arrest, etc. may be copied from JABS regional repositories to IDENT. (Consistent with published routine use disclosures for the IDENT system of records, IDENT may then respond to electronic inquiries from other JABS regional repositories to verify fingerprint or other identifying data, to learn of the arrest of a fugitive in another regional jurisdiction; and/or, where indicated by the IDENT record, to allow an inquiring regional repository to determine that a more complete arrest record resides with, and may be requested from, another JABS regional repository; and/or to otherwise assist in the conduct of other authorized law enforcement activities such as surveillance and wiretap.)

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

(a) The regional repositories may be electronically accessed by Federal, State, and local law enforcement agencies to input and retrieve booking and arrests data on criminal offenders and thereby eliminate the need for duplicate bookings in that region, i.e., the collection of much the same data by multiple agencies in prisoner processing activities involving such agencies from arrest through incarceration. (For example, an individual arrested by the Bureau of Alcohol, Tobacco, and Firearms (ATF) and transported by the USMS to a Federal correctional institution may be processed by ATF, USMS, and the Bureau of Prisons.) Such repositories may be electronically accessed by these and other local law enforcement agencies in the region also for other law enforcement purposes such as to learn about the arrest of a fugitive wanted in several local jurisdictions, to verify the identity of an arrestee, or to assist in the conduct of surveillance and/or wiretap activities. In addition, access by one regional repository to the complete record residing in another regional repository, e.g., to obtain access to the record of a fugitive wanted in one or more regional jurisdictions, may be accomplished by a

telephone request until such time as technology may permit electronic requests between regional repositories. Further, at such time as the technology is available, other judicial/law enforcement agencies such as the courts, probation, and parole agencies may have direct electronic access to JABS in order to obtain data which may assist them in performing their official duties. For example, the courts may need direct electronic access to verify the identity of an individual who appears in court claiming not to be the individual identified by the arresting agency.

Finally, where necessary and/or appropriate, the USMS may disclose relevant information from the repositories as follows:

(b) To any Federal, State, and/or local authorities to the extent necessary to permit them to perform their law enforcement responsibilities; or to any Federal, State, and/or local authorities, or to any other entity or person, to the extent required to solicit information necessary for law enforcement purposes;

(c) To other judicial/law enforcement agencies such as the courts, probation, and parole agencies to assist them in performing their official duties;

(d) To a Federal agency in response to its request and in connection with hiring or retention of an employee, the issuance of the required security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter;

(e) To private contractors and/or maintenance personnel but only to the extent that access is needed to perform contractual duties such as maintenance or other administrative support operations;

(f) To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of and at the request of the individual who is the subject of the record;

(g) To the news media and the public pursuant to 28 CFR 50.2 unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy;

(h) To a court or adjudicative body before which the USMS or other appropriate DOJ component is authorized to appear when any of the following is a party to litigation or has an interest in litigation and such records are determined by the USMS or other

appropriate DOJ component to be arguably relevant to the litigation:

(i) The USMS or DOJ component, or any subdivision thereof, or (ii) any employee of the USMS or DOJ in his or her official capacity, or (iii) any employee of the USMS or DOJ in his or her individual capacity where the DOJ has agreed to represent the employee, or (iv) the United States, where the DOJ determines that the litigation is likely to affect it or any of its subdivisions;

(i) To the National Archives and Records Administration (NARA) and the General Services Administration in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906;

(j) To complainants and/or victims to the extent necessary to provide such persons with information and explanations concerning the progress and/or results of an investigation or case (e.g. an arrest) arising from the matters of which they complained and/or of which they were a victim; and

(k) To any person or entity to the extent necessary to prevent an imminent and potential crime which directly threatens loss of life or serious bodily injury.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are stored in computerized media and on printed copy.

RETRIEVABILITY:

Data may be retrieved by name or identifying number.

SAFEGUARDS:

Access will be limited to those with a need to know. Facilities and offices which house computer systems will be protected at all times by appropriate locks, security guards, and/or alarm systems. Access to the systems equipment is limited to those with a need-to-know through encryption and password protection measures.

RETENTION AND DISPOSAL:

A disposition schedule will be developed for approval by the USMS Records Management Officer and NARA. Upon approval of such schedule, this notice will be revised to reflect the correct retention and disposal schedule for these records.

SYSTEM MANAGER(S) AND ADDRESS:

Director, U.S. Marshals Service, 600 Army-Navy Drive, Arlington, Virginia 22202-4210

NOTIFICATION PROCEDURE:

Same as "Record Access Procedures."

RECORD ACCESS PROCEDURE:

Address all requests for access to JABS records, in writing, to the system manager identified above, "Attention: FOIA/PA Officer." Clearly mark the letter and envelope "Privacy Act request." Clearly indicate the name of the requester, nature of the record sought, and approximate date of the record. In addition, provide the required verification of identity (28 CFR 16.41(d)) and a return address for transmitting the information.

CONTESTING RECORDS PROCEDURE:

Same as above.

RECORD SOURCE CATEGORIES:

The record subject; Federal, State, and local law enforcement personnel; the courts; and medical personnel.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Attorney General has exempted records in this system from subsections (c) (3) and (4), (d), (e) (1), (2) and (3), (e)(5), (e)(8), and (g) of the Privacy Act pursuant to 5 U.S.C. 552a(j)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553 (b), (c) and (e) and have been published in the Federal Register.

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file additional written notification disclosing all changes in membership.

On April 6, 1994, BDM Federal, Inc., acting on behalf of the HPC, filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the Federal Register pursuant to Section 6(b) of the Act on June 3, 1994 (59 FR 28899).

The last notification was filed with the Department on September 21, 1994. A notice was published in the Federal Register on February 8, 1995 (60 FR 7584).

Constance K. Robinson,
Director of Operations, Antitrust Division.
[FR Doc. 95-9111 Filed 4-12-95; 8:45 am]

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Notice Pursuant to the National Cooperative Research and Production Act of 1993—Bell Communications Research, Inc.

Notice is hereby given that, on August 18, 1994, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Bell Communications Research, Inc., ("Bellcore") has filed written notifications on behalf of Bellcore; Hughes Network Systems ("Hughes"); and Motorola Inc. ("Motorola") simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of the parties are Bellcore, Livingston, NJ; Hughes, Germantown, MD; and Motorola, Schaumburg, IL.

Bellcore; Hughes; and Motorola entered into an agreement effective as of July 28, 1994, to engage in cooperative research into technologies related to wireless access communications systems (WACS) and derivatives thereof to better understand the feasibility and application of these technologies for exchange and access services, including experimental prototype fabrication for the demonstration of such technology and obtaining an understanding of the issues on which technical standards can be proposed to public standards bodies.

Constance K. Robinson,
Director of Operations, Antitrust Division.
[FR Doc. 95-9109 Filed 4-12-95; 8:45 am]

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