

(Committee). A previous announcement in the **Federal Register** stated that the committee would meet on Tuesday, June 13, 1995. That meeting date has been changed to Thursday, June 15, 1995. The meetings for May 25 and May 30, 1995, are as previously announced.

The committee is meeting as part of the Commission's proceeding In the Matter of Access to Telecommunications Equipment and Services by the Hearing Impaired and Other Disabled Persons. The Committee will provide recommendations to the FCC to be used in the formulation of requirements for hearing aid compatible wireline telephones in work places, hospitals, certain other health care facilities, prisons, hotels and motels. Included among the recommendations will be one on whether to lift the suspension of enforcement of the Commission's rules regarding hearing aid-compatibility. Those rules require that all wireline telephones in all work places, hospitals, certain other health care facilities, prisons, hotels and motels be hearing aid compatible by May 1, 1993 for establishments with 20 or more employees and by May 1, 1994 for establishments with fewer than 20 employees. The scope of the activity of the Committee includes all steps necessary to assemble data, perform analyses, and provide advice to the FCC concerning all of the issues required to address the regulation of wireline telephones which need to be hearing aid-compatible, as discussed in the FCC's public notices.

DATES: May 25, 1995, 9:30 a.m. edt; May 30, 1995, 9:30 a.m. edt; June 15, 1995, 9:30 a.m. edt.

ADDRESSES: The addresses of the meetings are as follows, or as otherwise announced at the meetings: The meeting of May 25 will be held at the Federal Communications Commission, Room 856, 1919 M Street NW, Washington, D.C. 20554. The meeting of May 30 will be held at Eleanor Roosevelt High School, 7601 Hanover Parkway, Greenbelt, MD 20770. The meeting of June 15 will be held at the Federal Communications Commission, Office of Administrative Law Judges, Courtroom 1, Room 224, 2000 L Street, NW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Committee documents are available through I.T.S. at 202/857-3800. For further information, contact Greg Lipscomb, Designated Federal Officer of the Hearing Aid Compatibility Negotiated Rulemaking Committee, Domestic Services Branch, Domestic Facilities Division, Common Carrier Bureau, Federal Communications

Commission, Mail Stop 1600B2, 2025 M Street, NW., Suite 6008, Washington, DC 20054; Voice (202) 634-4216; TTY (202) 418-0484; Fax (202) 634-6625; Internet address: glipsc@fcc.gov

SUPPLEMENTARY INFORMATION: In accordance with the Federal Advisory Committee Act, Public law 92-463, as amended, this notice advises interested persons of the remaining meetings of the Committee. This Committee is necessary and in the public interest. The Committee was established by the Federal Communications Commission to bring together significantly affected entities to discuss and to recommend approaches to developing recommendations to the FCC for requirements for hearing aid-compatible wireline telephones in work places, hospitals, certain other health care facilities, prisons, hotels and motels. The FCC solicited nominations for membership on the Committee pursuant to the Negotiated Rulemaking Act of 1990, Public Law 101-648, November 28, 1990, and selected members which are significantly affected by the proposed rules. See FCC Public Notices in CC Docket No. 87-124, FCC 94-280, November 7, 1994, and DA 95-791, April 12, 1995; see also 59 FR 60343, November 23, 1994; 60 FR 15739, March 27, 1995; and the Commission's Rules at 47 CFR 68.112(b)(1), (3), and (5).

Members of the general public may attend the meetings. The FCC will attempt to accommodate as many people as possible. However, admittance will be limited to the seating available. The public may submit written comments to the Committee. The comments must be submitted two business days before the meeting in which the commenter desires his/her comments to be distributed. In addition, comments at the meeting by parties or entities not represented on the Committee will be permitted to the extent time permits. Comments will be limited to five minutes in length by any one party or entity, and request to make such comments to the Committee in person must be received two business days before the meeting in which the commenter desires to be heard. Requests for comment opportunity, and written comments, should be sent to Greg Lipscomb at the address under **FOR FURTHER INFORMATION CONTACT**, stated above.

Agenda

The planned agendas for the remaining meetings are as follows: Introductory Remarks, Approval of Agenda, Administrative Matters, Documents, Work Program, Decisions,

Final Report, Meeting Schedule, Other Business.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 95-12958 Filed 5-25-95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 10

RIN: 2105-AC05

[Docket No. 48438; Notice 95-6]

Privacy Act; Implementation

AGENCY: Department of Transportation (DOT), Office of the Secretary.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: DOT proposes to amend its rules implementing the Privacy Act of 1974 to exempt from certain provisions of the Act the Coast Guard's Joint Maritime Information Element Support System. Public comment is invited.

DATES: Comments are due June 26, 1995.

ADDRESSES: Comments should be addressed to Documentary Services Division, Attention: Docket Section, Room PL401, Docket No. 48438, Department of Transportation, C-55, Washington, DC 20590. Any person wishing acknowledgment that his/her comments have been received should include a self-addressed stamped postcard. Comments received will be available for public inspection and copying in the Documentary Services Division, Room PL401, Department of Transportation Building, 400 Seventh Street, SW, Washington, DC, from 9 am to 5 pm et Monday through Friday except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Robert I. Ross, Office of the General Counsel, C710, Department of Transportation, Washington, DC 20590, telephone (202) 366-9154, FAX (202) 366-9170.

SUPPLEMENTARY INFORMATION: 1. *What is JMIE?* The Joint Maritime Information Element (JMIE) Support System is a multi-agency database of vessel movements around the world that can assist in virtually any maritime support mission, including petroleum traffic movement, sea and defense zone surveillance, fisheries operations, and emergency sealift management, as well as prevention of illegal technology transfer, general cargo/commodity smuggling, and illegal immigration. DOT's Coast Guard is one of the

participating agencies and the agency that has been selected by the others as the Executive Agent to manage the database. All participating agencies will have access to data in the system.

Each record in the database will consist of two parts. The first will cover the vessel; every participating agency will have access to that. That record will refer to a record about the individuals (e.g., owner, master, crew) associated with that vessel. Only the law enforcement agencies will be able to access that second record. This part of each record comes within the Privacy Act, although the entire record does not. The computer that houses the database has been programmed to grant access only to the law enforcement agencies that are members of JMIE.

2. *What agencies are members of JMIE?* The following are the members of JMIE; each is designated below by whether it is a law enforcement agency (L), member of the intelligence community (I), or other (O), only those designated '(L)' having direct access to Privacy Act information:

1. Office of National Drug Control Policy—Executive Office of the President (I)
2. Bureau of International Narcotics Matters—Department of State (I)
3. Customs Service—Department of the Treasury (L)
4. Office of Naval Intelligence—Department of Defense (I)
5. Military Sealift Command—Department of Defense (O)
6. Defense Intelligence Agency—Department of Defense (I)
7. National Security Agency—Department of Defense (I)
8. Drug Enforcement Administration—Department of Justice (L)
9. Immigration and Naturalization Service—Department of Justice (L)
10. US National Central Bureau—INTERPOL—Department of Justice (O)
11. Bureau of the Census—Department of Commerce (O)
12. Coast Guard—Department of Transportation (L)
13. Maritime Administration—Department of Transportation (O)
14. Office of Intelligence and Port Security—Department of Energy (I)
15. Central Intelligence Agency (I)

The only members of JMIE that will have direct access to the Privacy Act information that will be maintained as part of JMIE are the following, all of which are criminal law enforcement agencies; shown with each is its principal criminal law enforcement authority:

- (1) Customs Service—19 USC 1589a;¹

- (2) Immigration and Naturalization Service—8 USC 1324;²
- (3) Drug Enforcement Administration—21 USC 878;³
- (4) Coast Guard—14 USC 89⁴

1. *General exemption.* Under subsection (j)(2) of the Privacy Act (5 USC 552a(j)(2)), a system of records may be exempted from almost all provisions of the Act, so long as the system: (1) Is maintained by an agency, or a component of an agency, that performs as its principal function any activity pertaining to the enforcement of criminal laws; and (2) contains: (A) Information compiled for the purpose of

Subject to the direction of the Secretary of the Treasury, an officer of the customs may—

- (1) carry a firearm;
- (2) execute and serve any order, warrant, subpoena, summons, or other process issued under the authority of the United States;
- (3) make an arrest without a warrant for any offense against the United States committed in the officer's presence or for a felony, cognizable under the laws of the United States committed outside the officer's presence if the officer has reasonable grounds to believe that the person to be arrested has committed or is committing a felony;
- (4) perform any other law enforcement duty that the Secretary of the Treasury may designate.

² Bringing in and harboring certain aliens.
(c) *Authority to arrest.* No officer or person shall have authority to make any arrest for a violation of any provision of this section except officers and employees of the [Immigration and Naturalization] Service designated by the Attorney General, either individually or as a member of a class, and all other officers whose duty it is to enforce criminal laws.

³ Powers of enforcement personnel.
(a) Officers or employees of the Drug Enforcement Administration or any State or local law enforcement officer.

Any officer or employee of the Drug Enforcement Administration or any State or local law enforcement officer designated by the Attorney General may—

- (1) carry firearms;
- (2) execute and serve search warrants, arrest warrants, administrative inspection warrants, subpoenas, and summonses issued under the authority of the United States;
- (3) make arrests without warrant (A) for any offense against the United States committed in his presence, or (B) for any felony, cognizable under the laws of the United States, if he has probable cause to believe that the person to be arrested has committed or is committing a felony;
- (4) make seizures of property pursuant to the provisions of this subchapter; and
- (5) perform such other law enforcement duties as the Attorney General may designate.

* * * * *
⁴ Law enforcement.

(a) The Coast Guard may make inquiries, examinations, inspections, searches, seizures, and arrests upon the high seas and waters over which the United States has jurisdiction, for the prevention, detection, and suppression of violations of laws of the United States. * * * When * * * it appears that a breach of the laws of the United States rendering a person liable to arrest is being, or has been committed, by any person, such person shall be arrested or, if escaping to shore, shall be immediately pursued and arrested on shore, or other lawful and appropriate action shall be taken

* * * * *

identifying individual criminal offenders and alleged offenders and consisting only of identifying data and notations of arrests, the nature and disposition of criminal charges, sentencing, confinement, release, and parole and probation status; (B) information compiled for the purpose of a criminal investigation, including reports of informants and investigators, and associated with an identifiable individual; or (C) reports identifiable to an individual compiled at any stage of the process of enforcement of the criminal laws from arrest or indictment through release from supervision. Those provisions of the Act from which such a system may *not* be exempted are subsections (b) (Conditions of Disclosure); (c)(1) and (2) (Accounting of Certain Disclosures); (e)(4)(A) through (F) (Publication of Existence and Character of System); (e)(6) (Ensure Records are Accurate, Relevant, Timely, and Complete), (7) (Restrict Recordkeeping on First Amendment Rights), (9) (Rules of Conduct), (10) (Safeguards), and (11) (Routine Use Publication); and (i) (Criminal Penalties).

DOT proposes to exempt JMIE accordingly.

2. *Specific exemptions.* Under subsection (k) of the Privacy Act (5 USC 552a(k)), qualifying records may be exempted from various provisions of the Act. Among these provisions are the requirement in subsection (c)(3) to maintain an accounting of disclosures of information from a system of records and make that accounting available on request to the record subject; in subsection (d) to grant to a record subject access to information maintained on him/her under the Act; in subsection (e)(1) to maintain only such information as is relevant and necessary to accomplish a purpose of the agency under statute or Executive Order; in subsection (e)(4)(G), (H), and (I) to advise record subjects of the agency procedures to request if a system of records contains records pertaining to them, how they can gain access to such records and contest their content, and the categories of sources of such records; and in subsection (f) to establish rules governing the procedures above.

a. Under subsection (k)(1) of the Privacy Act (5 USC 552a(k)(1)), portions of a system of records that are subject to 5 USC 552(b)(1), in that they contain information that is properly classified in the interest of national security, may be exempted from these provisions, and DOT proposes to exempt JMIE accordingly.

¹ Enforcement authority of customs officers.

b. Under subsection (k)(2) of the Privacy Act (5 USC 552a(k)(2)), investigatory material compiled for law enforcement purposes, other than material encompassed within subsection (j)(2), may be exempted from these provisions, and DOT proposes to exempt JMIE accordingly.

Analysis of regulatory impacts. This amendment is not a "significant regulatory action" within the meaning of Executive Order 12866. It is also not significant within the definition in DOT's Regulatory Policies and Procedures, 49 FR 11034 (1979), in part because it does not involve any change in important Departmental policies. Because the economic impact should be minimal, further regulatory evaluation is not necessary. Moreover, I certify that this proposal will not have a significant economic impact on a substantial number of small entities.

This proposal does not significantly affect the environment, and therefore an environmental impact statement is not required under the National Environmental Policy Act of 1969. It has also been reviewed under Executive Order 12612, Federalism, and it has been determined that it does not have sufficient implications for federalism to warrant preparation of a Federalism Assessment.

Finally, the proposal does not contain any collection of information requirements, requiring review under the Paperwork Reduction Act of 1980.

List of Subjects in 49 CFR Part 10:

Penalties; Privacy.

In accordance with the above, DOT proposes to amend 49 CFR part 10 as follows:

PART 10—[AMENDED]

1. The authority citation to part 10 would remain as follows:

Authority: 5 USC 552a; 49 USC 322.

2. Part I of Appendix A would be amended by republishing the introductory text and by adding a new paragraph F; Part II.A would be amended by adding a new paragraph 14; and Part II.F would be amended by adding a new paragraph 4, all to read as follows:

Appendix A to Part 10—Exemptions

Part I. General exemptions. Those portions of the following systems of records that consist of (a) information compiled for the purpose of identifying individual criminal offenders and alleged offenders and consisting only of identifying data and notations of arrests, the nature and disposition of criminal charges, sentencing, confinement, release, and parole and probation status; (b) information compiled

for the purpose of a criminal investigation, including reports of informants and investigators, and associated with an identifiable individual; or (c) reports identifiable to an individual compiled at any stage of the process of enforcement of the criminal laws from arrest or indictment through release from supervision, are exempt from all parts of 5 USC 552a except subsections (b) (Conditions of disclosure); (c)(1) and (2) (Accounting of certain disclosures); (e)(4)(A) through (F) (Publication of existence and character of system); (e)(6) (Ensure records are accurate, relevant, timely, and complete before disclosure to person other than an agency and other than pursuant to a Freedom of Information Act request), (7) (Restrict recordkeeping on First Amendment rights), (9) (Rules of conduct), (10) (Safeguards), and (11) (Routine use publication); and (i) (Criminal penalties):

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F. Joint Maritime Intelligence Element (JMIE) Support System, maintained by the Operations Systems Center, U.S. Coast Guard (DOT/CG 642).

Part II. Specific exemptions.

A. The following systems of records are exempt from subsection (c)(3) (Accounting of Certain Disclosures), (d) (Access to Records), (e)(4)(G), (H), and (I) (Agency Requirements), and (f) (Agency Rules) of 5 USC 552a, to the extent that they contain investigatory material compiled for law enforcement purposes in accordance with 5 USC 552a(k)(2):

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14. Joint Maritime Intelligence Element (JMIE) Support System, maintained by the Operations Systems Center, U.S. Coast Guard (DOT/CG 642).

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F. Those portions of the following systems of records that consist of information properly classified in the interest of national defense or foreign policy in accordance with 5 USC 552(b)(1) are exempt from sections (c)(3) (Accounting of Certain Disclosures), (d) (Access to Records), (e)(4)(G), (H), and (I) (Agency Requirements), and (f) (Agency Rules) of 5 USC 552a, to the extent that they contain investigatory material compiled for law enforcement purposes in accordance with 5 USC 552a(k)(1):

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4. Joint Maritime Intelligence Element (JMIE) Support System, maintained by the Operations Systems Center, U. S. Coast Guard (DOT/CG 642).

Issued in Washington, DC, on May 19, 1995.

Federico Peña,

Secretary of Transportation.

[FR Doc. 95-12833 Filed 5-25-95; 8:45 am]

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Research and Special Programs Administration

49 CFR Part 195

[Docket PS-140]

RIN 2137-AC34

Areas Unusually Sensitive to Environmental Damage

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Public workshop notice.

SUMMARY: RSPA invites industry, State and local government representatives and the public to a workshop on unusually sensitive environmental areas. The workshop's purpose is to openly discuss the criteria being considered by RSPA to determine areas unusually sensitive to environmental damage from a hazardous liquid pipeline release. The criteria are needed to carry out statutory requirements.

DATES: The workshop will be held on June 15, 1995 from 8:30 a.m. to 4 p.m. and on June 16, 1995 from 8:30 a.m. to 12 p.m. Persons who want to participate in the workshop should call (703) 267-3666 or e-mail their name, affiliation, and phone number to jbusavag@walcoff.com as space is limited. Persons who are unable to attend may submit written comments in duplicate by June 26, 1995. Interested persons should submit as part of their written comments all material that is relevant to a statement of fact or argument.

ADDRESSES: The workshop will be held at the U.S. Department of Transportation, Nassif Building, 400 Seventh Street SW., Room 2230, Washington, DC. Non-federal employee visitors are admitted into the DOT headquarters building through the southwest entrance at Seventh and E Streets, SW.

Written comments must be submitted in duplicate and mailed or hand delivered to the Dockets Unit, Room 8421, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001. Please refer to the docket and notice numbers stated in the heading of this notice.

All comments and materials cited in this document will be available for inspection and copying in Room 8421 between 8:30 a.m. and 4:30 p.m. each business day. A transcript of the workshop will be available from the Dockets Unit about three weeks after the workshop.

FOR FURTHER INFORMATION CONTACT: Christina Sames, (202) 366-4561, about