

2. In § 72.214, Certificate of Compliance 1025 is revised to read as follows:

**§ 72.214 List of approved spent fuel storage casks.**

\* \* \* \* \*

*Certificate Number:* 1025.

*Initial Certificate Effective Date:* April 10, 2000.

*Amendment Number 1 Effective Date:* November 13, 2001.

*Amendment Number 2 Effective Date:* May 29, 2002.

*SAR Submitted by:* NAC International.

*SAR Title:* Final Safety Analysis Report for the NAC-Multipurpose Canister System (NAC-MPC System).

*Docket Number:* 72-1025.

*Certificate Expiration Date:* April 10, 2020.

*Model Number:* NAC-MPC.

\* \* \* \* \*

Dated at Rockville, Maryland, this 4th day of March, 2002.

For the Nuclear Regulatory Commission.

**William D. Travers,**

*Executive Director for Operations.*

[FR Doc. 02-6227 Filed 3-14-02; 8:45 am]

BILLING CODE 7590-01-P

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## DEPARTMENT OF JUSTICE

### 28 CFR Part 16

[AAG/A Order No. 259-2002]

#### Privacy Act of 1974; Implementation

**AGENCY:** Department of Justice.

**ACTION:** Proposed rule.

**SUMMARY:** The Department of Justice, Bureau of Prisons, proposes to exempt a Privacy Act system of records from the following subsections of the Privacy Act: (e)(1) and (e)(5). This system of records is the "Inmate Trust Fund Accounts and Commissary Record System" (JUSTICE/BOP-006), as modified and described in today's notice section of the **Federal Register**. This system continues to be exempted from the subsections of the Privacy Act as previously promulgated.

The additional exemptions are necessary to preclude the compromise of institution security; to ensure the safety of inmates, Bureau personnel and the public; to protect third party privacy; to protect law enforcement and investigatory information; and/or to otherwise ensure the effective performance of the Bureau's law enforcement functions.

**DATES:** Submit any comments by May 14, 2002.

**ADDRESSES:** Address all comments to Mary Cahill, Management and Planning Staff, Justice Management Division, Department of Justice, Washington, DC 20530 (1400 National Place Building).

**FOR FURTHER INFORMATION CONTACT:** Mary Cahill (202) 307-1823.

This order relates to individuals rather than small business entities. Nevertheless, pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601-612, this order will not have a significant economic impact on a substantial number of small entities.

#### List of Subjects in 28 CFR Part 16

Administrative practices and procedure, Freedom of Information Act, Government in the Sunshine Act, and Privacy Act.

Pursuant to the authority vested in the Attorney General by 5 U.S.C. 552a and delegated to me by Attorney General Order No. 793-78, it is proposed to amend 28 CFR part 16 as follows:

1. The authority for Part 16 continues to read as follows:

**Authority:** 5 U.S.C. 301, 552, 552a, 552b(g) and 553; 18 U.S.C. 4203(a)(1); 28 U.S.C. 509, 510, 534, 31 U.S.C. 3717 and 9701.

2. Section is amended by adding paragraphs (l) and (m) to read as follows:

**§ 16.97 Exemption of Federal Bureau of Prisons Systems—limited access.**

\* \* \* \* \*

(l) The following system of records is exempted pursuant to 5 U.S.C. 552a(j) from subsections (e)(1) and (e)(5): Bureau of Prisons Inmate Trust Fund Accounts and Commissary Record System, (JUSTICE/BOP-006).

(m) These exemptions apply only to the extent that information in these systems is subject to exemption pursuant to 5 U.S.C. 552a(j). Where compliance would not appear to interfere with or adversely affect the law enforcement process, and/or where it may be appropriate to permit individuals to contest the accuracy of the information collected, e.g. public source materials, or those supplied by third parties, the applicable exemption may be waived, either partially or totally, by the Bureau. Exemptions from the particular subsections are justified for the following reasons:

(1) From subsection (e)(1) to the extent that the Bureau may collect information that may be relevant to the law enforcement operations of other agencies. In the interests of overall, effective law enforcement, such information should be retained and made available to those agencies with relevant responsibilities.

(2) From subsection (e)(5) because in the collection and maintenance of information for law enforcement purposes, it is impossible to determine in advance what information is accurate, relevant, timely and complete. Data which may seem unrelated, irrelevant or incomplete when collected may take on added meaning or significance as an investigation progresses or with the passage of time, and could be relevant to future law enforcement decisions. In addition, amendment of the records may interfere with law enforcement operations and would impose an impossible administrative burden by requiring that law enforcement information be continuously reexamined, even where the information may have been collected from the record subject or other criminal justice agencies. The restrictions of subsection (e)(5) would restrict and delay trained correctional managers from timely exercising their judgment in managing the inmate population and providing for the safety and security of the prisons and the public.

Dated: February 28, 2002.

**Robert F. Diegelman,**

*Acting Assistant Attorney General for Administration.*

[FR Doc. 02-6202 Filed 3-14-02; 8:45 am]

BILLING CODE 4410-05-P

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## DEPARTMENT OF JUSTICE

### 28 CFR Part 16

[AAG/A Order No. 257-2002]

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**ACTION:** Proposed rule.

**SUMMARY:** The Department of Justice, Bureau of Prisons, proposes to exempt a Privacy Act system of records from the following subsections of the Privacy Act: (e)(1) and (e)(5). This system of records is the "Inmate Physical and Mental Health Records System, (JUSTICE/BOP-007)", as modified and described in today's notice section of the **Federal Register**. This system continues to be exempted from the subsections of the Privacy Act as previously promulgated.

The additional exemptions are necessary to preclude the compromise of institution security, to better ensure the safety of inmates, Bureau personnel and the public, to better protect third party privacy, to protect law enforcement and investigatory information, and/or to otherwise ensure