

Federal agency that is conducting the screening process in question ("screening agency"). The screening agency is in the best position to determine if a particular problem relates to a terrorist watch list entry or is due to some other cause, such as a criminal history, an immigration violation or random screening. Some individuals also experience repeated delays during screening because their names and/or other identifying data, such as dates of birth, are similar to those of known or suspected terrorists. These individuals, referred to as "misidentified persons," often believe that they themselves are on a terrorist watch list, when in fact they only bear a similarity in name or other identifier to an individual on the list. Most screening agencies have or are developing procedures to expedite the clearance of misidentified persons during screening.

By contacting the screening agency with a complaint, individuals will be able to take advantage of the procedures available to help misidentified persons and others experiencing screening problems. Check the agency's requirements for submitting complaints but, at a minimum, individuals should describe in as much detail as possible the problem they are having, including dates and locations of screening, and provide sufficient information to identify themselves, such as full name, citizenship status, and date and place of birth. The TSC assists the screening agency in resolving any screening complaints that may relate to terrorist watch list information, but does not receive or respond to individual complaints directly. However, if TSC receives any such complaints, TSC will forward them to the appropriate screening agency.

#### RECORD SOURCE CATEGORIES:

Information in this system is obtained from individuals covered by the system, public sources, agencies conducting terrorist screening, law enforcement and intelligence agency record systems, government databases, and foreign governments.

#### EXEMPTIONS CLAIMED FOR THE SYSTEM:

The Attorney General has exempted this system from subsections (c)(3) and (4), (d)(1), (2), (3) and (4), (e)(1), (2), (3), (5) and (8), and (g) of the Privacy Act pursuant to 5 U.S.C. 552a(j) and (k). These exemptions apply only to the extent that information in the system is subject to exemption pursuant to 5 U.S.C. 552a(j) and (k). Rules have been promulgated in accordance with the

requirements of 5 U.S.C. 553(b), (c) and (e).

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## DEPARTMENT OF JUSTICE

### Parole Commission

#### Sunshine Act; Record of Vote of Meeting Closure (Public Law 94-409) (5 U.S.C. 552b)

I, Edward F. Reilly, Jr., Chairman of the United States Parole Commission, was present at a meeting of said Commission, which started at approximately 3 p.m. on Monday, July 18, 2005, at the U.S. Parole Commission, 5550 Friendship Boulevard, 4th Floor, Chevy Chase, Maryland 20815. The purpose of the meeting was to discuss the procedure to be followed for review of one case upon request of the Attorney General as provided in 18 U.S.C. 4215(c).

Public announcement further describing the subject matter of the meeting and certifications of General Counsel that this meeting may be closed by vote of the Commissioners present were submitted to the Commissioners prior to the conduct of any other business. Upon motion duly made, seconded, and carried, the following Commissioners voted that the meeting be closed: Edward F. Reilly, Jr., Cranston J. Mitchell, Deborah A. Spagnoli, Isaac Fulwood, Jr., and Patricia Cushwa.

*In witness whereof*, I make this official record of the vote taken to close this meeting and authorize this record to be made available to the public.

Dated: July 19, 2005.  
**Edward F. Reilly, Jr.**,  
Chairman, U.S. Parole Commission.  
[FR Doc. 05-15004 Filed 7-26-05; 8:45 am]  
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## DEPARTMENT OF LABOR

### Employment Standards Administration

#### Proposed Collection; Comment Request

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of

information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment Standards Administration is soliciting comments concerning the proposed collection: Notice of Controversion of Right to Compensation (LS-207). A copy of the proposed information collection request can be obtained by contacting the office listed below in the addresses section of this Notice.

**DATES:** Written comments must be submitted to the office listed in the addresses section below on or before September 26, 2005.

**ADDRESSES:** Ms. Hazel M. Bell, U.S. Department of Labor, 200 Constitution Ave., NW., Room S-3201, Washington, DC 20210, telephone (202) 693-0418, fax (202) 693-1451, e-mail [bell.hazel@dol.gov](mailto:bell.hazel@dol.gov). Please use only one method of transmission for comments (mail, fax, or e-mail).

#### SUPPLEMENTARY INFORMATION:

I. *Background:* The Division of Longshore and Harbor Workers' Compensation administers the Longshore and Harbor Worker's Compensation Act. This Act provides benefits to workers injured in maritime employment on the navigable waters of the United States or in an adjoining area customarily used by an employer in loading, unloading, repairing or building a vessel. In addition, several acts extend Longshore Act coverage to certain other employees. Pursuant to sections 914(d) of the Act, and 20 CFR 702.251, if an employer controverts the right to compensation he/she shall file with the district director in the affected compensation district on or before the fourteenth day after he/she has knowledge of the alleged injury or death, a notice, in accordance with a form prescribed by the Secretary, stating that the right to compensation is controverted. Form LS-207 is used for this purpose. Form LS-207 is used by insurance carriers and self-insured employers to controvert claims under the Longshore Act and extensions. The information is used by OWCP district offices to determine the basis for not paying benefits in a case. This information collection is currently approved for use through March 31, 2006.

II. *Review Focus*: The Department of Labor is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

III. *Current Actions*: The Department of Labor seeks the approval of the extension of this information collection in order to carry out its responsibility to meet the statutory requirements to ensure payment of compensation or death benefits under the Act.

*Type of Review*: Extension.

*Agency*: Employment Standards Administration.

*Titles*: Notice of Controversion of Right to Compensation.

*OMB Number*: 1215-0023.

*Agency Numbers*: LS-207.

*Affected Public*: Business or other for-profit.

*Total Respondents*: 750.

*Total Annual Responses*: 15,750.

*Estimated Total Burden Hours*: 3,938.

*Estimated Time Per Response*: 15 minutes.

*Frequency*: On occasion.

*Total Burden Cost (capital/startup)*: \$0.

*Total Burden Cost (operating/maintenance)*: \$7,011.00.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: July 21, 2005.

**Bruce Bohanon,**

*Chief, Branch of Management Review and Internal Control, Division of Financial Management, Office of Management, Administration and Planning, Employment Standards Administration.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-346]

### FirstEnergy Nuclear Operating Company, Davis-Besse Nuclear Power Station, Unit 1; Exemption

#### 1.0 Background

The FirstEnergy Nuclear Operating Company (FENOC or the licensee) is the holder of Facility Operating License No. NPF-3, which authorizes operation of the Davis-Besse Nuclear Power Station, Unit 1 (DBNPS). The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the Nuclear Regulatory Commission (NRC, the Commission) now or hereafter in effect.

The facility consists of a pressurized-water reactor located in Ottawa County, Ohio.

#### 2.0 Request

Title 10 of the Code of Federal Regulations (10 CFR), part 50, appendix R, "Fire Protection Program for Nuclear Power Facilities Operating Prior to January 1, 1979," establishes fire protection requirements to satisfy 10 CFR part 50, appendix A, General Design Criterion No. 3, "Fire Protection." By letter dated January 20, 2004 (ADAMS ML040220470), as supplemented by letters dated September 3, 2004 (ADAMS ML042520326), and February 25, 2005 (ADAMS ML050610249), FENOC requested an exemption from Appendix R, Section III.G.3, "Fire Protection of Safe Shutdown Capability."

The licensee is requesting an exemption from the requirements of Section III.G.3 to provide area-wide fire detection and fixed fire suppression in Fire Area HH. Control room emergency ventilation systems are routed through Fire Area HH in the auxiliary building. Fire Area HH is equipped with a fire detection system (covering approximately 96 percent of Fire Area HH), but no fixed suppression system is installed.

In summary, FENOC has requested an exemption from the 10 CFR Part 50, Appendix R, Section III.G.3 requirement for a fixed fire suppression system in Fire Area HH and for fire detection in the approximately 4 percent of Fire Area HH not equipped with a fire detection system.

#### 3.0 Discussion

Pursuant to 10 CFR 50.12(a), the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the

requirements of 10 CFR Part 50 when (1) the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security; and (2) when special circumstances are present. These special circumstances are described in 10 CFR 50.12(a)(2)(ii), in that the application of these regulations in this circumstance is not necessary to achieve the underlying purpose of the regulations.

The underlying purpose of appendix R, section III.G, is to provide features capable of limiting fire damage so that: (1) One train of systems necessary to achieve and maintain hot shutdown conditions from either the control room or emergency control station(s) is free of fire damage; and (2) systems necessary to achieve and maintain cold shutdown from either the control room or emergency control station(s) can be repaired within 72 hours.

Fire Area HH consists of the Air Conditioning (A/C) Equipment Room (Room 603), the Records and Storage Area (Room 603A), and Vestibule (Room 603B). Room 603 consists of approximately 3,150 square feet of floor area, with an in situ combustible loading consisting of cable insulation; heating, ventilation and air conditioning (HVAC) duct insulation; and small quantities of grease, lube oil, and miscellaneous combustibles. Combustibles are located throughout the room, and in proximity to the cables of interest. Rooms 603A and 603B do not contain combustibles or equipment.

Existing fire protection capability in the area consists of a fire detection system that protects the A/C Equipment Room (Room 603) and manual (not fixed) fire suppression capability consisting of portable fire extinguishers and standpipe hose stations for the protection of the entire area. Rooms 603A and 603B are not equipped with detection. Room 603A is separated from Room 603 by a 12-inch thick concrete masonry unit wall and a Underwriters Laboratory Class B fire door with a louvered opening. Room 603A is no longer used as a records storage area. The louvered opening is equipped with a fire damper held open by a fusible link. The door is normally locked and placarded with a sign that states, "Storage of Any Kind is Forbidden" and "Door Must Remain Locked." Room 603B is a vestibule separated from Room 603 by a 2-hour rated barrier.

Fire Area HH has 3-hour rated fire barriers on the walls and floors. The fire barrier between Room 603 and the stairwell and elevator, Fire Area UU, is 2-hour rated. All cables are within