

2005, unless modified by a subsequent notice to incorporate comments received from the public.

**ADDRESSES:** Mail written comments to Debra Buccolo, Privacy Act Officer, Farm Credit Administration, McLean, Virginia 22102-5090. You may send comments by e-mail to [dbuccolo@fca.gov](mailto:dbuccolo@fca.gov). Copies of all communications received will be available for examination by interested parties in the offices of the FCA.

**FOR FURTHER INFORMATION CONTACT:**

Debra Buccolo, Privacy Act Officer, Farm Credit Administration, McLean, Virginia 22102-5090, (703) 883-4022, TTY (703) 883-4020,

Or

Jane Virga, Office of General Counsel, Farm Credit Administration, McLean, Virginia, 22102-5090, (703) 883-4071, TTY (703) 883-4020.

**SUPPLEMENTARY INFORMATION:** This publication satisfies the requirement of the Privacy Act of 1974 that an agency publish a system notice in the **Federal Register** when there is a revision, change, or addition to the system of records. The FCA did not file a System Report with Congress and the Office of Management and Budget because the changes were minor. There were no significant changes to this system of records. The amended system notice reflects minor changes in the Agency's organization and filing, and clearly identifies the record sources for this system of records.

The amended system of records is: FCA-9, Personnel Security Files. The notice is published in its entirety below.

**FCA-9**

**SYSTEM NAME:**

Personnel Security Files—FCA.

**SECURITY CLASSIFICATION:**

None.

**SYSTEM LOCATION:**

Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Current and former FCA employees.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

This system contains case files compiled during background investigations of employees in sensitive positions. It may include: (a) Security forms (e.g., SF 85P, Questionnaire for Public Trust Positions); (b) investigative reports that may include a credit check, a check of police records, and interviews with neighbors, former supervisors, and coworkers; (c) a

determination of suitability for employment or for a security clearance by FCA's security officer; and (d) issuance of clearance statement.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

12 U.S.C. 2243, 2252; Executive orders 10450 and 10577.

**PURPOSE(S):**

We use information in this system of records to determine suitability for employment and to issue a clearance.

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

See the "General Statement of Routine Uses."

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

None.

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

We maintain records in file folders.

**RETRIEVABILITY:**

We retrieve records by name.

**SAFEGUARDS:**

We maintain records in a locked safe in an area that is secured after business hours. Only the Personnel Security Officer and Alternate Personnel Security Officer have access to the records.

**RETENTION AND DISPOSAL:**

Files are retained in accordance with the National Archives and Records Administration General Records Schedule requirements for personnel security records.

**SYSTEM MANAGER(S) AND ADDRESS:**

Personnel Security Officer, Office of the Chief Administrative Officer, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090.

**NOTIFICATION PROCEDURE:**

Address inquiries about this system of records to: Privacy Act Officer, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090.

**RECORD ACCESS PROCEDURES:**

To obtain a record, contact: Privacy Act Officer, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, as provided in 12 CFR part 603.

**CONTESTING RECORD PROCEDURES:**

Direct requests for amendments to a record to: Privacy Act Officer, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, as provided in 12 CFR part 603.

**RECORD SOURCE CATEGORIES:**

Information in this system of records comes from: (1) The individual to whom the record applies; (2) Office of Personnel Management's investigative files maintained by the Investigations Service; (3) employment information maintained by the FCA; and (4) external and internal investigative inquiries by Federal law enforcement agencies.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Information in this system of records about a confidential source's identity is subject to a specific exemption, 5 U.S.C. 552a(k)(5), to ensure accurate information on employment suitability.

Dated: September 16, 2005.

**Jeanette C. Brinkley,**

*Secretary, Farm Credit Administration Board.*

[FR Doc. 05-18891 Filed 9-21-05; 8:45 am]

**BILLING CODE 6705-01-P**

**FEDERAL ELECTION COMMISSION**

**Sunshine Act Meeting**

**DATE AND TIME:** Tuesday, September 27, 2005 at 10 a.m.

**PLACE:** 999 E Street, NW., Washington, DC.

**STATUS:** This meeting will be closed to the public.

**ITEMS TO BE DISCUSSED:** Compliance matters pursuant to 2 U.S.C. 437g.

Audits conducted pursuant to 2 U.S.C. 437g, 438(b), and Title 26, U.S.C.

Matters concerning participation in civil actions or proceedings or arbitration.

Internal personnel rules and procedures or matters affecting a particular employee.

**PERSON TO CONTACT FOR INFORMATION:**

Mr. Robert Biersack, Press Officer, Telephone (202) 694-1220.

**Mary W. Dove,**

*Secretary of the Commission.*

[FR Doc. 05-19075 Filed 9-20-05; 2:53 pm]

**BILLING CODE 6715-01-M**

**DEPARTMENT OF HOMELAND SECURITY**

**Office of the Secretary**

**Determination Pursuant to Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 as Amended by Section 102 of the REAL ID Act of 2005**

**AGENCY:** Office of the Secretary, Department of Homeland Security

**ACTION:** Notice of determination.

**SUMMARY:** The Secretary of Homeland Security has determined, pursuant to law, that it is necessary to waive certain laws, regulations and other legal requirements in order to ensure the expeditious construction of barriers and roads along the international land border of the United States in California.

**DATES:** This Notice is effective on September 22, 2005.

#### Determination and Waiver

In section 102(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Public Law 104-208, Div. C, 110 Stat. 3009-546, 3009-554 (Sept. 30, 1996) (8 U.S.C. 1103 note (2000) (IIRIRA)), Congress provided that the Attorney General shall take such actions as may be necessary to install additional physical barriers and roads (including the removal of obstacles to detection of illegal entrants) in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States. Pursuant to sections 1511 and 1517 of the Homeland Security Act of 2002, Public Law 107-296, 116 Stat. 2135, 2309, 2311 (Nov. 25, 2002) (HSA) (6 U.S.C. 551, 557), the authorities of the Attorney General contained in section 102 of the IIRIRA were transferred to me. In section 102(c) of the IIRIRA, as amended by section 102 of the REAL ID Act of 2005, Public Law 109-13, Div. B, 119 Stat. 231, 302, 306 (May 11, 2005) (REAL ID Act) 8 U.S.C. 1103 note), Congress granted to me the authority to waive all legal requirements that I, in my sole discretion, determine necessary to ensure the expeditious construction of barriers and roads under section 102 of IIRIRA.

In section 102(b) of the IIRIRA, Congress specifically provided for the construction along the 14 miles of the international land border of the United States, starting at the Pacific Ocean and extending eastward, of second and third fences, in addition to the existing reinforced fence, and for roads between the fences. In section 446 of the HSA, Congress expressed its sense that completing the 14-mile border project under section 102(b) of the IIRIRA should be a priority for the Secretary of Homeland Security. Nearly nine years after the passage of the IIRIRA, the project prescribed in section 102(b) of the IIRIRA remains incomplete.

In order to ensure the expeditious construction of the barriers and roads that Congress prescribed in section 102(b) of the IIRIRA, regarding which Congress expressed its support in section 446 of the HSA, 116 Stat. 2195 (6 U.S.C. 256), and which is an area of high illegal entry into the United States,

I have determined that it is necessary that I exercise the authority that was transferred to me by sections 1511 and 1517 of the HSA and that is vested in me by section 102(c) of the IIRIRA as amended by section 102 of the REAL ID Act. Accordingly, I hereby waive in their entirety, with respect to the construction of the barriers and roads prescribed in section 102(b) of the IIRIRA (including, but not limited to, the conduct of earthwork, excavation, fill, and site preparation, and installation and upkeep of fences, roads, supporting elements, drainage, erosion controls, safety features, detection equipment, and lighting), all federal, state, or other laws, regulations and legal requirements of, deriving from, or related to the subject of, the following laws, as amended: The National Environmental Policy Act (Pub. L. 91-190, 83 Stat. 852, (Jan. 1, 1970) (42 U.S.C. 4321 *et seq.*)), the Endangered Species Act (Pub. L. 93-205, 87 Stat. 884 (Dec. 28, 1973) (16 U.S.C. 1531 *et seq.*)), the Coastal Zone Management Act (Pub. L. 92-583, 86 Stat. 1280 (Oct. 27, 1972) (16 U.S.C. 1451 *et seq.*)), the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act) (Act of June 30, 1948, c. 758, 62 Stat. 1155 (33 U.S.C. 1251 *et seq.*)), the National Historic Preservation Act (Pub. L. 89-665, 80 Stat. 915 (Oct. 15, 1966) (16 U.S.C. 470 *et seq.*)), the Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*), the Clean Air Act (42 U.S.C. 7401 *et seq.*), and the Administrative Procedure Act (5 U.S.C. 551 *et seq.*). I reserve the authority to make further waivers from time to time under the authority granted to me by section 102(c) of the IIRIRA, as amended by section 102 of the REAL ID Act, as I may determine to be necessary to accomplish the provisions of section 102 of IIRIRA.

Dated: September 13, 2005.

**Michael Chertoff,**

*Secretary of Homeland Security.*

[FR Doc. 05-18882 Filed 9-21-05; 8:45 am]

**BILLING CODE 4410-10-P**

## DEPARTMENT OF HOMELAND SECURITY

### Bureau of Customs and Border Protection

#### Automated Commercial Environment (ACE): Elimination of Bond Rider Requirement for Participation in Periodic Monthly Statement Payment Process

**AGENCY:** Customs and Border Protection; Department of Homeland Security.

**ACTION:** General notice.

**SUMMARY:** This notice announces changes in the Bureau of Customs and Border Protection's (CBP) National Customs Automation Program (NCAP) test concerning periodic monthly deposit of estimated duties and fees. Participants in the Periodic Monthly Statement test are no longer required to provide a bond rider covering the periodic payment of estimated duties and fees. Nonpayment or untimely payment of estimated duties and fees, however, may result in action by CBP to impose sanctions on the delinquent importer of record or to allow the surety to terminate its basic importation bond. If the bond principal is a participant in the Periodic Monthly Statement test, sureties will now be allowed, under certain conditions, to terminate bonds with 3 business days notice to the bond principal and CBP.

**EFFECTIVE DATES:** The elimination of the requirement to provide a bond rider covering the periodic payment of estimated duties is effective immediately.

**ADDRESSES:** Comments concerning this notice should be submitted to Robert B. Hamilton via e-mail at [Robert.B.Hamilton@dhs.gov](mailto:Robert.B.Hamilton@dhs.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

On February 4, 2004, the Bureau of Customs and Border Protection (CBP) published a General Notice in the **Federal Register** (69 FR 5362) announcing the National Customs Automation Program (NCAP) test for Periodic Monthly Payment Statement Process. The test, which is part of CBP's Automated Commercial Environment (ACE), benefits participants by giving them access to operational data through the ACE Secured Data Portal ("ACE Portal"), which provides them the capability to interact electronically with CBP, and by allowing them to deposit estimated duties and fees on a monthly basis based on a Periodic Monthly Statement generated by CBP.

When the test started, only importers were eligible to apply for the test. Eligibility was later expanded to allow brokers to apply if they were specifically designated by an ACE importer.

On September 8, 2004, CBP published a General Notice in the **Federal Register** (69 FR 54302) which invited customs brokers, regardless of whether they were designated by participating importers to make Periodic Monthly Statement payments on their behalf, to apply to participate in the test. That notice set