

information to a former employee of the Department for purposes of: responding to an official inquiry by a federal, state, or local government entity or professional licensing authority, in accordance with applicable Department regulations; or facilitating communications with a former employee that may be necessary for personnel-related or other official purposes where the Department requires information and/or consultation assistance from the former employee regarding a matter within that person's former area of responsibility; and

(j) To federal, state, local, tribal, foreign or international licensing agencies or associations which require information concerning the suitability or eligibility of an individual for a license or permit.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

Not Applicable.

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

**STORAGE:**

Information maintained in the system is stored in electronic media via a configuration of personal computer and client/server, and may be accessed by those with a need-to-know at all Bureau and contractor facilities. Some information may be stored in other computerized media, e.g., hard disk, floppy diskettes, magnetic tape, digital recordings, Compact Discs (CDs), and/or optical disks. Documentary records are maintained in manual file folders and/or on index card files.

**RETRIEVABILITY:**

Records may be retrieved by identifying data including name and/or register number of inmate; and/or by name and/or electronic address of message recipient or individual on approved inmate electronic message correspondent list.

**SAFEGUARDS:**

Information is safeguarded in accordance with Bureau rules and policy governing automated information systems security and access. These safeguards include the maintenance of records and technical equipment in restricted areas, and the required use of proper passwords and user identification codes to access the system. Only those Bureau personnel and authorized contractors who require access to perform their official duties may access the system equipment and the information in the system. Bureau inmates will only be able to access their

own sent and received electronic messages.

**RETENTION AND DISPOSAL:**

Electronic messages are maintained ordinarily for six months from the date created, at which time they are overwritten with new data. Other records in this system may be incorporated into another system of records, e.g., JUSTICE/BOP-005, Inmate Central Records System. System-generated reports are retained for as long as they are needed. Computerized records are destroyed by degaussing; documentary records are destroyed by shredding.

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

Assistant Director, Administration Division, Federal Bureau of Prisons, 320 First Street, NW., Washington, DC 20534.

**NOTIFICATION PROCEDURE:**

Inquiries should be directed to the System Manager listed above.

**RECORD ACCESS PROCEDURES:**

All requests for records may be made by writing to the Federal Bureau of Prisons, 320 First Street, NW., Washington, DC 20534. The envelope should be clearly marked "Freedom of Information/Privacy Act Request." The request should include a general description of the records sought, including the approximate dates covered by the record, the requester's full name, current address, and date, and place of birth. Also, if the requester is an inmate who requests documents to be sent to a third party, the inmate must provide with the request an example of his or her signature, which must be verified and dated within three (3) months of the date of request. This system of records is exempted from access pursuant to 5 U.S.C. 552a(j)(2) and/or (k)(2). A determination as to the applicability of the exemption to a particular record(s) shall be made at the time a request for access is received.

**CONTESTING RECORD PROCEDURES:**

Same as above. Requesters may contest record procedures by writing to the Office of Information and Privacy, U.S. Department of Justice, Federal Bureau of Prisons, 320 First Street, NW., Washington, DC 20530.

**RECORD SOURCE CATEGORIES:**

Records are generated by: individuals covered by the system; Bureau staff; federal, state, local, tribal, international and foreign law enforcement agencies; and federal/state probation and judicial offices.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

The Attorney General has exempted this system from subsections (c)(3) and (4), (d)(1)-(4), (e)(2), (e)(3), (e)(5), and (g) of the Privacy Act pursuant to 5 U.S.C. 552a(j)(2) and/or (k)(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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**DEPARTMENT OF JUSTICE**

**Antitrust Division**

**Proposed Termination of Final Decree**

Notice is hereby given that Ludowici Roof Tile, Inc. ("Ludowici"), successor in interest to Ludowici-Celadon Company ("Ludowici-Celadon"), a defendant in *Unitd States v. Ludowici-Celadon Co., et al.*, In Equity No. 9022 (N.D. III. Mar. 12, 1929), has filed a motion to terminate the final Decree entered in that matter on March 18, 1929 (the "Decree"). The Antitrust Division of the Department of Justice, in a Stipulation also filed with the Court, tentatively has consented to termination of the Decree, but has reserved the right to withdraw its consent pending receipt of public comments.

On March 12, 1929, the United States filed a Petition against Ludowici-Celadon and sixteen individuals, including certain exclusive sales agents, "preferred roofers," and certain Ludowici-Celadon officers, directors, and employees. The Petition alleged that the defendants conspired to restrain interstate trade and commerce in the manufacture and sale of "roofing tile" and to monopolize and attempt to monopolize such trade. The Decree defined "roofing tile" as "tile produced from shale or clay and used as a covering for pitched roofs, cornices and other exposed surfaces of buildings and structures."

The Decree perpetually enjoined the defendants from continuing the conspiracy or entering into any combination similar thereto. The Decree prohibited the defendants from engaging in any exclusionary or otherwise potentially or patently anticompetitive conduct. The Decree also perpetually enjoined Ludowici-Celadon from acquiring ownership or control of any additional plants engaged in the manufacture and sale of roofing tile.

The Department has filed with the Court a memorandum setting forth the reasons the United States believes that termination of the Decree would serve

the public interest. Copies of the motion papers, the Stipulation containing the United States' tentative consent, the United States' memorandum, and all other papers filed with the Court in connection with the motion will be available for inspection at the Antitrust Documents Group, Antitrust Division, Room 215, 325 7th Street, NW., Washington, DC 20530, and at the Office of the Clerk of the United States District court for the Northern District of Illinois, Eastern Division. Copies of these materials may be obtained from the Antitrust Division upon request and payment of the copying fees set by Department of Justice regulations.

Interested persons may submit comments regarding the proposed termination of the Decree to the United States. Such comments must be received by the Antitrust Division within sixty days and will be filed with the Court by the United States. Comments should be addressed to Maribeth Petrizzi, Chief, Litigation II Section, Antitrust Division, U.S. Department of Justice, 1401 H Street, NW., Suite 3000, Washington, DC 20530 (202-307-0924).

**Dorothy B. Fountain,**

*Deputy Director of Operations, Antitrust Division.*

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## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

November 8, 2005.

The Department of Labor (DOL) has submitted the following public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of this ICR, with applicable supporting documentation, may be obtained by contacting Darrin King on 202-693-4129 (this is not a toll-free number) or email: [king.darrin@dol.gov](mailto:king.darrin@dol.gov).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Mine Safety and Health Administration (MSHA), Office of Management and Budget, Room 10235, Washington, DC 20503, 202-395-7316 (this is not a toll-free number), within 30 days from the date of this publication in the **Federal Register**.

The OMB 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 submission of responses.

*Agency:* Mine Safety and Health Administration.

*Type of Review:* Extension of currently approved collection.

*Title:* Noise Exposure Assessment; Audiometric Testing Evaluation, and Records and Training in all Mines.

*OMB Number:* 1219-0120.

*Frequency:* On occasion and Annually.

*Type of Response:* Recordkeeping and Third party disclosure.

*Affected Public:* Business or other for-profit and State, Local, or Tribal Government.

*Estimated Number of Respondents:* 14,391.

*Estimated Annual Responses:* 848,081.

*Estimated Average Response Time:* Varies from 2 minutes for a mine operator to provide oral notification of the opportunity to observe noise exposure monitoring to 5 hours for an operator of a large mine to develop a system to monitor noise exposure.

*Estimated Annual Burden Hours:* 107,600.

*Total Annualized capital/startup costs:* \$0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$4,355,111.

*Description:* 30 CFR part 62 requires records of miner exposures to noise so that mine operators and MSHA can evaluate the need for and effectiveness of engineering controls, administrative controls, and personal protective equipment to protect miners from harmful levels of exposure. The records are used by mine operators and MSHA to verify that the testing was done and the required actions implemented. Part 62 also requires the mine operator to provide training to overexposed miners

about the hazards of noise exposure, hearing protector selection and use, the hearing test program, and the operator's noise controls. Records of training are needed to confirm that miners receive the information they need to become active participants in hearing conservation efforts.

**Ira L. Mills,**

*Departmental Clearance Officer.*

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## DEPARTMENT OF LABOR

### Office of the Secretary

#### DOL Partnerships for Compliance Assistance Program (PCAP) and Request for Applications for Partnerships

**AGENCY:** Office of Assistant Secretary for Policy/Office of Compliance Assistance Policy (ASP/OCA), U.S. Department of Labor (DOL).

**ACTION:** Notice.

**SUMMARY:** This notice announces an opportunity for partnerships and the re-opening of the DOL Partnerships for Compliance Assistance Program (PCAP).

The primary goal of these partnerships is to better inform businesses and workers, through nonprofit third-party membership organizations, of the compliance assistance tools and resources the Department has available to help them comply with its laws and regulations.

Letters of interest from nonprofit third-party membership organizations should contain information identifying the organization, including Web site URL and promotional literature describing their mission/purpose statement and constituent information; ideas on how a DOL partnership benefits the organization's constituents, members or stakeholders; and a contact person's name, title, address and telephone number. Letters of interest in PCAP should also identify the documents in the submission that should be kept confidential (e.g., due to copyright concerns).

**DATES:** Letters of interest will be considered if received at the appropriate address, as provided below, no later than 5 p.m. on January 3, 2006.

**ADDRESSES:** To submit letters of interest, or for further information on the Partnerships for Compliance Assistance Program (PCAP), you may write to the following address: Office of Compliance Assistance Policy, Office of the Assistant Secretary for Policy, U.S. Department of Labor, Attention: Barbara