DEPARTMENT OF TRANSPORTATION
Office of the Secretary
Privacy Act of 1974: System of Records
AGENCY: Federal Motor Carrier Safety Administration (FMCSA).
ACTION: Notice to modify a system of records.
SUMMARY: DOT proposes to modify a system of records under the Privacy Act of 1974. The system is FMCSA's National Consumer Complaint Database (NCCDB), which is being modified to reflect: (1) The new name; (2) changes to the system location; (3) additions to the categories of individuals; (4) reduction in the categories of records; (5) additions to the categories of records; (6) clarity to the purpose of the system. This system would not duplicate any other DOT system of records.
DATES: Effective Date: This notice will be effective, without further notice, on June 22, 2010, unless modified by a subsequent notice to incorporate comments received by the public. Comments must be received by June 14, 2010 to be assured consideration.
ADDRESSES: Send comments to Habib Azarsina, Departmental Privacy Officer, S–80, United States Department of Transportation, Office of the Secretary of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590 or habib.azarsina@dot.gov.
FOR FURTHER INFORMATION CONTACT: Habib Azarsina, Departmental Privacy Officer, S–80, United States Department of Transportation, Office of the Secretary of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590; telephone 202.366.1965, or habib.azarsina@dot.gov.
SUPPLEMENTARY INFORMATION: The DOT system of records notice subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, as proposed to be modified, is available from the above address and appears below:

DOT/FMCSA 004
SYSTEM NAME: National Consumer Complaint Database (NCCDB).
SECURITY CLASSIFICATION: Controlled Unclassified Information (CUI).
SYSTEM LOCATION: The NCCDB and its Web site (http://nccdb.fmcsa.dot.gov/HomePage.asp) are administered and maintained by the facility listed below:
John A. Volpe National Transportation Systems Center (Volpe Center), 55 Broadway, Cambridge, MA 02142.
The Safety Violation and Household Goods Consumer Complaint Hotline (888–DOT–SAFT or 888–368–7238) is operated by the contractor listed below:
Ecompex, Inc. (Ecompex), DTMC75–05–C–00008, 7926 Jones Branch Drive, Suite 560, McLean, VA 22102.
The hotline and Web site are operated under a leasing agreement between Ecompex and the subcontractor listed below:
CATEGORIES OF RECORDS IN THE SYSTEM:

1. HHG complaints (PII).
   - Respondent names, tracking number, addresses, fax numbers, phone numbers, and e-mail addresses.
2. Safety Violation complaints (PII).
   - Respondent names, tracking number, addresses, fax numbers, phone numbers, and e-mail address.
   - Respondent names, tracking number, addresses, fax numbers, phone numbers, and e-mail address.
4. Acknowledgement letters to complainants (PII).
   - Complainant’s name, tracking number, and address.
5. Notification letters to motor carriers (PII).
   - Respondent’s name, complaint number, and address.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

PURPOSE(S):

The major goal of NCCDB is to meet the requirements set forth in section 4214, Public Law 109–59, 119 Stat. 1144, 1750–1760, codified at 49 U.S.C. 14701 note, the Safe, Accountable Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU), which requires FMCSA to establish:

1. A system, database, and procedures for filing and logging consumer complaints relating to household goods motor carriers for the purpose of compiling or linking complaint information gathered by FMCSA and the States with regard to such carriers.
2. Procedures to allow the public to have access, subject to 5 U.S.C. 552(a), to aggregated complaint information and a process for carriers to challenge duplicate or fraudulent information in the database.

NCCDB is capable of recording the following types of complaints:

1. Safety Violation Complaints—Consumers, commercial motor vehicle drivers, and others can report violations of Federal Motor Carrier Safety Regulations (FMCSRs).
2. Household Goods (HHG) Complaints—Consumers can report complaints related to the contracting and moving of HHG.

The data collected by NCCDB can be used by FMCSA to identify problematic motor carriers in order to take enforcement actions and to promote compliance with FMCSRs. The NCCDB can also be used to alert consumers of those motor carriers with a history of complaints related to transporting HHG and to provide guidance to the public on how to avoid being victimized by unscrupulous moving companies.

Motor carriers can use NCCDB to assist with complaint reconciliation. After being informed of a complaint, the respondent is encouraged to resolve the complaint with the complainant.

ROUTINE FUNCTION OF SYSTEM RECORDS (INCLUDES CATEGORIES OF USERS AND PURPOSES OF USE):

- Information may be shared with congressional offices and Federal, State, and local government agencies for the purposes of enforcing the safety of motor carriers and HHG transporters.
- Information may also be accessed by Federal contractors involved in the system support and maintenance of NCCDB.
- In addition to those disclosures generally permitted under 5 U.S.C. 552(a)(3) of the Privacy Act, additional disclosures may be made in accordance with the DOT Preliminary Statement of General Routine Uses, published at 65 FR 19476 (April 11, 2000).

DISCLOSURE TO CONSUMER REPORTING AGENCIES:
None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS:

Storage—NCCDB records are stored in an automated system operated and maintained at the Volpe National Transportation Systems Center (Volpe Center), U.S. Department of Transportation, 55 Broadway, Cambridge, MA 02142. Backup copies of NCCDB records are archived in a secure offsite facility.

Retrievability—NCCDB records can be retrieved through automated searches on the following key words or identifying information:
- Complainant Name
- Respondent Name
- Address (Complainant and Respondent)
- Fax Number (Complainant and Respondent)
- Phone Number (Complainant and Respondent)
- State Name (Complainant and Respondent)
- Zip Code (Complainant and Respondent)
- E-mail Address (Complainant and Respondent)
- Secondary Respondent Name
- Motor Carrier Number
- USDOT Number
- Complaint ID Number
- Complaint Date

Accessibility (Including Safeguards)—Access to NCCDB is restricted to those authorized users with a specific “need to know” and requires authentication with a valid user name and password. Only authorized federal government personnel and contractors conducting system support or maintenance activities may access NCCDB records.

The scope of access is limited to the official need of each authorized individual. NCCDB is housed in a secure data center, and access to NCCDB is restricted to authorized personnel only. Access to the building in which NCCDB is located is also restricted to authorized personnel only. FMCSA operates NCCDB in accordance with the E-Government Act of 2002 (Pub. L. 107–347), the Federal Information Security Management Act (FISMA) of 2002 (Title III of Pub. L. 107–347), and other required policies, procedures, practices, and security controls for implementing the Automated Information Systems Security Program.

Retention and Disposal—Complaint files are retained at the John A. Volpe National Transportation Systems Center by the system administrator. All files received by the Safety Violation and Household Goods Consumer Complaint Hotline are retained in compliance with agency record control schedules. Complaints mailed to the FMCSA to Ecompex are recorded online in NCCDB by Ecompex staff. The Volpe Center and Ecompex comply with all requirements of the National Archives and Records Administration (NARA) with respect to record retention and control. NARA regulations indicate that electronic files created to monitor system usage are authorized for erasure or deletion when the agency determines that they are no longer needed for administrative, legal, audit, or other operational purposes.

SYSTEM MANAGER CONTACT INFORMATION:
James Dubose; Federal Motor Carrier Safety Administration; Commercial Enforcement Division; MC–ECC, M61300, W63–421; 1200 New Jersey Avenue SE; Washington, DC 20590.

NOTIFICATION PROCEDURE:
Individuals wishing to know if their records appear in this system may make a request in writing to the System Manager. The request must include the requester’s name, mailing address, telephone number and/or e-mail
DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA–2000–7257; Notice No. 61]

Railroad Safety Advisory Committee; Charter Renewal

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).


SUMMARY: FRA announces the charter renewal of the RSAC, a Federal Advisory Committee that develops railroad safety regulations through a consensus process. This charter renewal will take effect on May 17, 2010, and will expire after 2 years.

FOR FURTHER INFORMATION CONTACT: Larry Woolverton, RSAC Administrative Officer/Coordinator, FRA, 1200 New Jersey Avenue, SE., Mailstop 25, Washington, DC 20590, (202) 493–6212; or Grady Cothen, Deputy Associate Administrator for Safety, FRA, 1200 New Jersey Avenue, SE., Mailstop 25, Washington, DC 20590, (202) 493–6302.

SUPPLEMENTARY INFORMATION: Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), FRA is giving notice of the charter renewal for the RSAC. The RSAC was established to provide advice and recommendations to FRA on railroad safety matters. The RSAC is composed of 54 voting representatives from 31 member organizations, representing various rail industry perspectives. In addition, there are non-voting advisory representatives from the agencies with railroad safety regulatory responsibility in Canada and Mexico, the National Transportation Safety Board, and the Federal Transit Administration. The diversity of the Committee ensures the requisite range of views and expertise necessary to discharge its responsibilities. See the RSAC Web site for details on pending tasks at: http://rsac.fra.dot.gov/. Please refer to the notice published in the Federal Register on March 11, 1996, 61 FR 9740, for additional information about the RSAC.

Issued in Washington, DC, on May 7, 2010.

Grady C. Cothen, Jr.,
Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 2010–11382 Filed 5–12–10; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Multiple Counties, New York, and New Jersey

AGENCY: Federal Highway Administration (FHWA), USDOT.

ACTION: Revised Notice of Intent (NOI).

SUMMARY: The Federal Highway Administration (FHWA) and the Port Authority of New York and New Jersey (PANYNJ) are issuing this Revised Notice of Intent (NOI) to advise the public of modifications to the environmental review process for the Cross Harbor Freight Movement Program (Project Identification Number: X500.19). These revisions include a change in project sponsorship to the PANYNJ, the intent of FHWA and PANYNJ to use a tiered process to facilitate project decision-making, and the intent of FHWA and PANYNJ to utilize the environmental review provisions afforded under Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU). This notice revises the NOI that was published in the Federal Register on June 7, 2001.

The greater New York/New Jersey region is the financial center of the U.S. economy and the nation’s largest consumer market. The regional economy relies on a goods movement system overwhelmingly dependent on trucking and an aging and congested highway network. Regional forecasts of truck growth vary depending on the source, year, and geography, but available sources agree that truck tonnage is anticipated to increase substantially, with some forecasts calling for a 36% increase in tonnage by 2035. In the absence of network or system improvements, this growth and the region’s dependence on trucking for freight distribution will result in serious regional highway congestion and extended travel delays—a trend which could threaten the economic vitality of the greater New York/New Jersey region.

The EIS will analyze alternatives that would provide short-term and long-term strategies for improving the regional freight network, reducing traffic congestion, enhancing modal diversity and system redundancy, improving air quality, and providing economic benefits. The FHWA and PANYNJ are serving as joint-lead agencies for the preparation of the EIS and are issuing this notice to solicit public and agency input into the scope of the EIS and to advise the public that outreach activities will be conducted by FHWA and PANYNJ, New York State and New Jersey Departments of Transportation (NYSDOT and NJDOT) are serving as cooperating agencies for the preparation of the EIS.

The EIS analyses will be conducted using “tiering,” as described in 40 CFR 1508.28, which is a staged process applied to the environmental review of complex projects. Tier I of the EIS will allow the agencies to focus on general transportation modes and alignments for the proposed project, including logical...